



New South Wales

Passenger Transport Amendment (Approved Payment Devices) Regulation 2017

under the

Passenger Transport Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Passenger Transport Act 1990*.

ANDREW CONSTANCE, MP
Minister for Transport and Infrastructure

Explanatory note

The object of this Regulation is to enable the payment of fares by credit cards, debit cards or other approved payment devices.

This Regulation is made under the *Passenger Transport Act 1990*, including section 63 (the general regulation-making power).

Passenger Transport Amendment (Approved Payment Devices) Regulation 2017

under the

Passenger Transport Act 1990

1 Name of Regulation

This Regulation is the *Passenger Transport Amendment (Approved Payment Devices) Regulation 2017*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Passenger Transport Regulation 2007

[1] Clause 69 Definitions

Omit the definitions of *concession ticket* and *read*. Insert in alphabetical order:

approved payment device means a smartcard that is a credit or debit card, or other payment device, of a class approved by TfNSW, by notice published in the Gazette, for the payment of fares by scanning at a smartcard reader.

concession ticket means a ticket intended to provide free travel, or travel at a reduced fare, on a public passenger vehicle or train.

read means:

- (a) in relation to a smartcard (other than an approved payment device)—ascertain the amount, or travel entitlement, recorded on the smartcard and includes add an amount to or deduct an amount from any amount so recorded, and
- (b) in relation to an approved payment device—obtain information from the device for the purpose of processing the payment of a fare or ascertaining whether the device is valid for travel in accordance with clause 77D.

[2] Clause 70 Meaning of “smartcard”

Omit clause 70 (1). Insert instead:

- (1) For the purposes of the definition of *smartcard* in section 3 (1) of the Act, the following are types of smartcard:
 - (a) a card issued by or on behalf of TfNSW:
 - (i) on which an amount, or an entitlement to travel on public passenger vehicles or trains, may be recorded electronically, and
 - (ii) that may be scanned at, and read electronically by, a smartcard reader for the purpose of enabling the person by whom the smartcard is held to pay for, or exercise an entitlement to, travel on public passenger vehicles or trains (regardless of whether the smartcard may also be used to pay for, or exercise a right to, travel on other public transport systems),
 - (b) an approved payment device.

[3] Clause 70 (2)

Insert “(other than an approved payment device)” after “smartcard”.

[4] Clause 76 Valid smartcards

Insert “of that kind” after “smartcard” in clause 76 (1) (c).

[5] Clause 76 (2)

Omit “card”. Insert instead “smartcard”.

[6] Clause 77F Certificate evidence

Insert after clause 77F (2):

- (3) This clause does not apply in respect of a smartcard that is an approved payment device.