



STATUTORY INSTRUMENTS.

S.I. No. [•] of 202[•]

DRAFT SMALL PUBLIC SERVICE VEHICLE (CASHLESS PAYMENT FACILITY) REGULATIONS 202[•]

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The National Transport Authority, in exercise of the powers conferred on it by section 20 and section 48 of the Taxi Regulation Act 2013 (No. 37 of 2013) as amended, hereby makes the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation

1. These Regulations may be cited as the Small Public Service Vehicle (Cashless Payment Facility) Regulations 202[•].

Commencement

2. These Regulations come into operation on [•].

Definitions

3. (1) In these Regulations -
“cashless payment” means payment by means of credit card, debit card or other payment instrument within the meaning of Article 4 of Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015; and
“Principal Act” means the Taxi Regulation Act 2013, as amended.

(2) A word or expression that is used in this Regulation and is also used in the Principal Act has, unless the contrary intention appears, the same meaning in this Regulation as it has in the Principal Act.

Cashless payment

4. For any journey, the driver of a taxi shall:
 - a. ensure they are in possession of a device that facilitates cashless payment; and
 - b. accept cashless payment as a method of payment of any fare.

5. The driver of a taxi shall not record the payment card details of a passenger.

Penal regulations

6. Regulations 4 and 5 are declared to be penal provisions for the purpose of section 20(4) of the Principal Act.

Prescribed amount of fixed payment.

7. For the purpose of section 48 of the Principal Act, the amount prescribed for a fixed payment offence referred to in column (2) of Schedule 1 is the amount indicated in column (4) of that Schedule opposite mention of the fixed payment offence.

SCHEDULE 1

Fixed Payment Offences – Prescribed Amounts

Code	Section of the Principal Act or Regulation under these Regulations	Description of offence	Fixed Penalty Amount
?	Regulation 4(a) of these Regulations	Failure to carry a cashless payment device	[€200]
?	Regulation 4(b) of these Regulations	Failure to accept cashless payment	[€200]

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of [•].



GIVEN under the seal of the National Transport Authority on [•].

Fred Barry,
Chairman, National Transport Authority.

EXPLANATORY NOTE IN RELATION TO THE

Small Public Service Vehicle (Cashless Payment Facility) Regulations 202[•]

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of the Small Public Service Vehicle (Cashless Payment Facility) Regulations 202[•] is to require drivers of taxis to carry a functioning cashless payment facility whilst operating and to accept cashless payments for any journey. The regulations also provide for requirements regarding standards and security of payment devices.

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