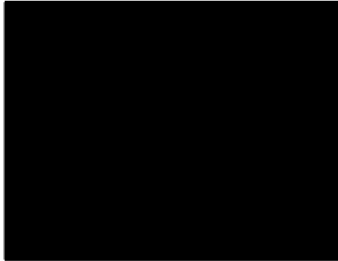


8th June 2016



Re: FOI request IE_FOI_047

Dear ,

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this body:

Request –

- Policy on persons travelling without a ticket
- Documentation which states fines for customers who do not have a ticket on board of the train
- Copies of the notices placed at the Carlow Train Station

I, Mr. Roger Tobin, Decision Maker have now made a final decision to grant your request on 08/06/2016.

You have sought access to the records outlined above and I consider this an appropriate form of access in this case.

In the event that you are not happy with this decision you can make an appeal in relation to this matter, you can do so by writing to the FOI Unit, Corporate Communications, Iarnród Éireann Irish Rail, Connolly Station, Amiens St, Dublin 1 or by e-mail to foi@irishrail.ie. You should make your appeal within 4 weeks (20 working days) from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays, however, the making of a late appeal may be permitted in appropriate circumstances.

The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact the FOI Officer on 01, 7034293.

Yours sincerely,

Handwritten signature of Roger Tobin in black ink.

Mr. Roger Tobin,
Decision Maker
Revenue Protection Unit

Freedom of Information Request:
 Schedule of Records for IE_FOI_047 : Summary for Decision Making

Record No.	Date of Record	Brief Description	No. of Pages	Decision: Grant/Part Grant/Refuse	Section of Act if applicable	Record Edited/Identify Deletions
1	08.06.16	Policy on Persons Travelling without a ticket	2	Grant		
2	08.06.16	Frequently Asked Questions about Fixed Payment Notices	4	Grant		
3	08.06.16	Carlow Booking Office Signage	2	Grant		

Signed 

IE Decision Maker

Document 1 – Policy on Persons Travelling without a ticket

Those failing to present an appropriate ticket when asked by an authorised officer to do so, are liable to payment of a fixed payment of €100 plus the unpaid fare provided for by the Railway Safety Act 2005 Part 15 (Fare Evasion & Fixed Payment Notice). Fixed Payment Notices are issued in accordance with Section 132(2) (a) “Failure to comply with a request to deliver up a valid ticket”. In the event that the fixed payment is not paid, the person can be prosecuted and faces a potential fine not exceeding €1,000 upon conviction.

Railway Safety Act 2005 – Part 15 Section 132: Fare Evasion & Fixed Payment Notices

Penalty for
avoiding
payment of
fare.

132.—(1) Every passenger of a railway undertaking shall, on request by an officer or employee of a railway undertaking, produce, and if so requested, deliver up to the officer or employee a ticket showing that his or her fare is paid and, if the fare has not been paid, shall upon request—

(a) pay, to the officer or employee—

(i) his or her fare from the place where he or she started the journey by railway, or

(ii) such other fare for non-payment of a fare as fixed by the undertaking, as the officer or employee decides, or

(b) give the officer or employee his or her name and address.

(2) A passenger who fails—

(a) to comply with a request under *subsection (1)* to deliver up a ticket,

(b) to pay the fare required under *subsection (1)(a)*, or

(c) to give his or her name and address, if requested under *subsection (1)(b)*,

is guilty of an offence.

(3) A passenger who—

(a) travels or attempts to travel on a railway of a railway undertaking without having previously paid his or her fare, and with intent to avoid such payment,

(b) having paid his or her fare for a certain distance, knowingly and wilfully proceeds by train beyond that distance without previously paying the

additional fare for the additional distance, and with intent to avoid such payment, or

(c) having failed to pay his or her fare, gives in reply to a request by an officer or employee of a railway undertaking a false or misleading name or address,

is guilty of an offence.

(4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding €1,000.

(5) The liability of an offender to a penalty under this section does not prejudice the recovery of any fare payable by him or her.

Frequently Asked Questions about Fixed Payment Notices

Each year Iarnród Éireann carries over 38 million passengers on its Intercity, DART and Commuter trains. If even a small percentage of passengers failed to pay for their tickets, the revenue lost to Iarnród Éireann would be substantial.

Fare evasion is a criminal offence. You must purchase a valid ticket for the journey you are making before you get on any train. If you do not have a valid ticket or validated Leap/Smart card when asked to produce your ticket, you can be prosecuted in the District Court under the Railway Safety Act 2005. A passenger who travels without a valid ticket faces a fine of up to €1,000 on conviction in the District Court as well as legal costs.

If you cannot produce a valid ticket when requested to do so by an authorised officer, you may be issued with a Fixed Payment Notice. This means that if you wish to avoid a court appearance and the possibility of receiving a criminal conviction, you may pay a fine of €100 plus your unpaid fare. The Fixed Payment option is only available for a period of 21 days as set out in the Railway Safety Act. If the fine is not paid within that period, a summons will issue and legal costs will be incurred.

How can I pay a Fixed Payment Notice?

Payment may be made by Credit/Debit card over the phone by contacting the payment line directly on 1850 366 222 between the hours of 09:15hrs-13:00hrs and 14:15hrs-16:45hrs Monday to Friday. Postal Orders and Bank Drafts will only be accepted if made payable to **Irish Rail** or **Iarnród Éireann** and should be forwarded to the Revenue Protection Unit, Irish Rail, Connolly Station, Amiens Street, Dublin 1.

If I do not buy a ticket before travelling, will I automatically get a Fixed Payment Notice?

You are responsible for ensuring that you buy a ticket that is valid for your entire journey before travelling. If you cannot produce a valid ticket when requested to do so by an authorised officer, you will be issued with a Fixed Payment Notice.

If there is a queue at the ticket office or the TVM can I board the train without a valid ticket?

No. It is your responsibility to allow yourself reasonable time to buy a ticket before travelling. Ticket Vending Machines are provided at stations. Tickets can also be bought in advance of travel from ticket offices or on line at www.irishrail.ie.

Can I pay at my destination if I am in a rush?

No. If you board a train without a valid ticket, you will be issued with a Fixed Payment Notice.

What if the ticket office is closed, or the station does not have a ticket office and the Ticket Vending Machines are out of order?

Ticket Vending Machines are in operation throughout our network. These machines are monitored and regularly maintained to ensure that they are operational. Irish Rail is automatically notified if the TVMs are out of order. In the unlikely event that the booking office is closed and all the Ticket

Vending Machines are not working, you will be required to pay for your journey on the train or at your destination. Failure to pay the required fare will result in a Fixed Payment Notice being issued.

What should I do if I have forgotten my Monthly or Annual Tax saver Leap or Smart card?

You must buy a ticket to cover your journey before travelling. Failure to buy a ticket will result in a Fixed Payment Notice being issued.

What if I do not Touch On my Leap card before travel?

You are responsible for ensuring that you Touch On your Leap card at a validation point before travelling, otherwise you will be issued with a Fixed Payment Notice.

What if I have bought a student ticket but cannot produce the current student I.D card to the Authorised Officer?

You will be issued with a Fixed Payment Notice, as a discounted student ticket is only valid on production of a valid student I.D card. Accepted Student I.D can be found in the fares and tickets section

What happens if I have a department of Social Protection ticket but no accompanying DSP Free Travel Pass or DSP Free Travel Card?

You will be issued with a Fixed Payment Notice as the ticket is not valid without the required DSP identification.

What happens if I use another person's Leap card, student card or DSP Free Travel Pass or Free Travel Card?

You will be issued with a Fixed Payment Notice and the card will be confiscated.

What happens if I travel beyond my destination?

It is your responsibility to buy any additional ticket that you need to complete your journey before boarding the train otherwise you will be issued with a Fixed Payment Notice.

If I have a standard class ticket but sit in first class, will I receive a Fixed Payment Notice?

As your ticket is not valid for first class accommodation, a supplement/upgrade fee must be paid. Refusal to pay this supplement or move to standard accommodation will result in a Fixed Payment Notice being issued.

What happens if an adult purchases a child ticket?

Any person aged 16 years or older who purchases a child ticket will be issued with a Fixed Payment Notice. Child tickets are only valid for persons aged 3-15 years. Persons aged 16-18 years can avail of reduced rate child fares in the Dublin Short Hop Zone and on the Cork commuter services between Cork and Cobh and Cork and Midleton if they obtain a personalised Leap card for 16 - 18 year-olds with the card holders name and photograph. See Leapcard.ie

On Line Ticketing Information

All tickets purchased on line are time and date specific, passengers wishing to travel on another train but on the same date are required to pay a surcharge prior to boarding where the facilities are available. Failure to pay this surcharge will result in a Fixed Payment Notice being issued. Tickets booked on line can be collected from the Ticket Vending Machine or Booking Office. You will be issued with a fixed payment notice if you fail to deliver up a valid ticket.

Can a Fixed Payment Notice be issued for other offences?

A Fixed Payment Notice can be issued for failing or refusing to give your name or address to an authorised officer or giving a name or address which is false or misleading. A Fixed Payment Notice can also be issued for trespass on a railway, unlawful use of an emergency cord or other system of communication between passengers and train drivers and failure to shut and fasten gates of level crossings or passage. Breach of CIE bye-laws can also be prosecuted before the District Court. A full list of CIE bye-laws as set out in the *Córas Iompair Éireann Bye-laws (Confirmation) Order, 1984* can be found on irishrail.ie.

What happens if a passenger has committed more than one offence?

Where a passenger has committed more than one offence, the Fixed Payment Notice will reflect an increased fine.

Who can issue a Fixed Payment Notice?

Any authorised officer of Irish Rail can issue a Fixed Payment Notice.

Can the authorised officer confiscate my ticket when issuing a Fixed Payment Notice?

Yes. The authorised officer can confiscate the ticket as it may be used as evidence if the Fixed Payment is not paid and the case is prosecuted before the courts.

Do I have to pay the Fixed Payment Notice on the spot?

No. You have 21 days to pay the Fixed Payment Notice.

Can an authorised officer detain me if I don't have a valid ticket?

Yes. If an authorised officer reasonably suspects that a person is committing or has committed an offence under Section 129 of the Railway Safety Act 2005, he or she may require the person to give his or her name and address and, if the person fails or refuses to do so or gives a name that the authorised officer reasonably suspects is false or misleading, the authorised officer may arrest that person without warrant and deliver, as soon as practicable, the person into the custody of a member of the Garda Síochána to be dealt with according to law.

What if I don't pay the Fixed Payment Notice?

In the event that the Fixed Payment is not paid, you can be prosecuted and face a potential fine of up to €1,000 upon conviction as well as legal costs.

Is there a right of appeal against a Fixed Payment Notice?

If you have been issued with a Fixed Payment Notice and you wish to appeal the decision, you can do so via email to RPU@irishrail.ie or in writing to the Revenue Protection Unit, Connolly Station, Amiens Street, Dublin 1 within 21 days from the date of issue of the Fixed Payment Notice.

CUSTOMER INFORMATION TRAIN DEPARTURES

Customers are advised that they should arrive in sufficient time to purchase tickets and make their way to the platforms before the published departure times of trains.

Trains will not be delayed for customers arriving late.



Iarnród Éireann
Irish Rail

Customer Notice



IMPORTANT NOTICE


Passengers must purchase a valid ticket before boarding a train from this station

**No Ticket
No Travel
No Excuse**

Tickets are available from the Booking office and/or the automatic Ticket Vending Machine

Fare evaders will be prosecuted
Failure to have a valid ticket could lead to a fine and/or a court prosecution

irishrail.ie

 Iarnród Éireann