



STATUTORY INSTRUMENTS.

S.I. No. 189 of 2007



LIGHT RAILWAY (FIXED PAYMENT NOTICE) REGULATIONS 2007

(Prn. A7/0853)

LIGHT RAILWAY (FIXED PAYMENT NOTICE) REGULATIONS 2007

I, MARTIN CULLEN, Minister for Transport, in exercise of the powers conferred on me by section 66C (inserted by section 134 of the Railway Safety Act 2005 (No. 31 of 2005)) of the Transport (Railway Infrastructure) Act 2001 (No. 55 of 2001), hereby make the following regulations:

1. These Regulations may be cited as the Light Railway (Fixed Payment Notice) Regulations 2007.

2. (1) The form set out in Schedule 1 is prescribed as the form of the notice to be served on a person in relation to an offence alleged to have been committed under—

(a) section 64(1), 66A(5) or 66B(2) of the Transport (Railway Infrastructure) Act 2001 (No. 55 of 2001), or

(b) section 118 or 132 of the Railway Safety Act 2005 (No. 31 of 2005).

(2) The form set out in Schedule 2 is prescribed as the form of the notice to be served on a person in relation to an offence alleged to have been committed under section 54(5) of the Transport (Railway Infrastructure) Act 2001.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 4th May, 2007.*

SCHEDULE 1

LIGHT RAILWAY
FIXED PAYMENT NOTICE

S.66C (inserted by s. 134 of Railway Safety Act 2005) of Transport (Railway Infrastructure) Act 2001

To: (insert name)

Address: (insert address)

It is alleged that you committed an offence under the provision of the enactment and description of which is indicated below/overleaf¹

at (insert place)

at (Insert time) on (insert date)

You may during the period of 21 days beginning on the date of this notice pay to the Railway Procurement Agency, Parkgate Business Centre, Parkgate Street, Dublin 8 or Veolia Transport Ireland Ltd., Red Cow Roundabout, Naas Road, Clondalkin, Dublin 22 the amount of €100 accompanied by this notice.

A prosecution in respect of the alleged offence will not be instituted during the above period and, if you pay this amount within this period, no prosecution in respect of the alleged offence will be instituted.

Signed: _____

Authorised Officer of the Railway Procurement Agency/Veolia Transport Ireland Ltd (*delete as appropriate*)

Date: _____

or

Signature of Member of the

Garda No: _____

Garda Síochána: _____

Date: _____

¹Place a tick or mark x in column (1) as appropriate

Alleged Offence

(1)	Ref. No. (2)	Enactment and Provision (3)	Description (4)
	1	Transport (Railway Infrastructure) Act 2001 — s. 64(1)	Trespassing on a railway, etc.
	2	Transport (Railway Infrastructure) Act 2001 — S. 66A(5) (inserted by s. 134 of Railway Safety Act 2005)	Removal of a notice affixed to an immobilised vehicle by a person other than the owner or a person authorised by the owner.
	3	Transport (Railway Infrastructure) Act 2001 — S. 66B (2) (inserted by s. 134 of Railway Safety Act 2005)	Failure or refusal to give name or address when required. Giving name or address which is false or misleading ² .
	4	Railway Safety Act 2005 — s. 118	Unlawful use of system of emergency communication between passengers and train drivers.
	5	Railway Safety Act 2005 — s. 132 (2) s. 132(3) ² .	Failure to— <ul style="list-style-type: none"> - deliver up ticket, - pay fare when required, - give name and address, Passenger— <ul style="list-style-type: none"> - travelling on railway without paying fare and avoiding payment, - travelling on train beyond distance for which fare was paid, - giving false or misleading name or address².

²Delete as appropriate.

SCHEDULE 2

LIGHT RAILWAY
FIXED PAYMENT NOTICE

S. 66C (inserted by s. 134 of Railway Safety Act 2005) of Transport (Railway Infrastructure) Act 2001

To: _____ (insert name)

Address: _____ (insert address)

It is alleged that you committed an offence under section 54(5) of the Transport (Railway Infrastructure) Act 2001.

at (insert place) _____

at (Insert time) _____ on (insert date) _____

by driving a light rail vehicle at a speed of _____ kilometres per hour, where a speed limit of _____ kilometres per hour was in force.

You may during the period of 21 days beginning on the date of this notice pay to the Railway Procurement Agency, Parkgate Business Centre, Parkgate Street, Dublin 8 or Veolia Transport Ireland Ltd., Red Cow Roundabout, Naas Road, Clondalkin, Dublin 22 the amount of €100 accompanied by this notice.

A prosecution in respect of the alleged offence will not be instituted during the above period and, if you pay this amount within this period, no prosecution in respect of the alleged offence will be instituted.

Signature of Member of the
Garda Síochána: _____
Date: _____

Garda No: _____



GIVEN under my Official Seal,
30 April 2007

MARTIN CULLEN,
Minister for Transport.

EXPLANATORY NOTE

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

The purpose of these regulations is to prescribe the form of notices and documents to be used where an Authorised Officer or a member of An Garda Síochána alleges that one of several specific offences under the Transport (Railway Infrastructure) Act 2001 and the Railway Safety Act 2005 has been committed and the amounts which a person who is liable to be prosecuted may pay as an alternative to the institution of a prosecution for the offence(s).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHAN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
51 FAICHE STIABHNA, BAILE ÁTHA CLIATH,
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

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