



STATUTORY INSTRUMENTS.

S.I. No. 294 of 2022

SMALL PUBLIC SERVICE VEHICLE (CASHLESS PAYMENT
FACILITY) REGULATIONS 2022

**SMALL PUBLIC SERVICE VEHICLE (CASHLESS PAYMENT
FACILITY) REGULATIONS 2022**

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 2022.

Commencement

2. These Regulations come into operation on 01 September 2022.

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;

“cashless payment device” means a physical electronic payment device accepting point of sale card-based payment transactions, using the methodologies of Near Field Communication (contactless) and a PIN (personal identification number) with a magnetic stripe or chip;

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 functioning cashless payment device ; 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 or personal data of a passenger.

Associated Guidelines

6. The driver of a taxi shall comply with the guidelines produced by the Authority in association with these regulations.

Penal regulations

7. 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.

8. 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
D19	Regulation 4(a) of these Regulations	Failure to carry a functioning cashless payment device	€200
D20	Regulation 4(b) of these Regulations	Failure to accept cashless payment	€200

GIVEN under the Seal of the National Transport Authority,
17 June 2022.

L.S.

FRED BARRY,
Chairperson, National Transport Authority.

EXPLANATORY NOTE

(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 2022 is to require drivers of taxis to carry a functioning cashless payment device whilst operating and to accept cashless payments for any journey. The regulations also provide for associated guidelines and requirements regarding standards and security of payment devices.

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