

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 45

THURSDAY, 2nd NOVEMBER

2017

[LEGAL NOTICE NO. 97]

ELECTRONIC FARE TICKETING ACT 2014

**Electronic Fare Ticketing (Omnibus) (Amendment)
Regulations 2017**

IN exercise of the powers conferred on me by section 33 of the Electronic Fare Ticketing Act 2014, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Electronic Fare Ticketing (Omnibus) (Amendment) Regulations 2017.

(2) These Regulations come into force on the date of publication in the Gazette.

(3) In these Regulations, the Electronic Fare Ticketing (Omnibus) Regulations 2017 is referred to as the “Principal Regulations”.

Regulation 5 amended

2. Regulation 5 of the Principal Regulations is amended after subregulation (3) by inserting the following new subregulations—

“(4) An omnibus driver must ensure that all omnibus fares are paid through a buscard used on a buscard reader.

(5) Any omnibus driver who contravenes subregulation (4) commits an offence and is liable to a fixed penalty of \$1,000.

(6) Where an omnibus driver fails to pay the fixed penalty and a late payment fee within the prescribed period, the omnibus driver is liable upon conviction to a penalty not exceeding the maximum penalty prescribed under the Act.”

Regulations 7A, 7B, 7C and 7D inserted

3. The Principal Regulations are amended after regulation 7 by inserting the following new regulations—

“Disposable buscards

7A.—(1) An omnibus operator must ensure that disposable buscards are available for sale at all times on any omnibus owned by the omnibus operator.

(2) Any omnibus operator who contravenes subregulation (1) commits an offence and is liable to a fixed penalty of \$1,000.

(3) Where an omnibus operator fails to pay the fixed penalty and a late payment fee within the prescribed period, the omnibus operator is liable upon conviction to a fine not exceeding \$5,000.

Omnibus to have a buscard reader

7B.—(1) An omnibus operator must ensure that any omnibus owned by the omnibus operator is fitted and operational with a buscard reader at a place easily accessible by passengers boarding and disembarking the omnibus.

(2) Any omnibus operator who contravenes subregulation 1 commits an offence and is liable to a fixed penalty of \$5,000.

(3) Where an omnibus operator fails to pay the fixed penalty and a late payment fee within the prescribed period, the omnibus operator is liable upon conviction to a penalty not exceeding the maximum penalty prescribed under the Act.

(4) Where an omnibus operates without a buscard reader, the omnibus driver must allow a passenger boarding the omnibus to travel on the omnibus without paying his or her omnibus fare.

(5) Any omnibus driver who contravenes subregulation (4) commits an offence and is liable to a fixed penalty of \$1,000.

(6) Where an omnibus driver fails to pay the fixed penalty and a late payment fee within the prescribed period, the omnibus driver is liable upon conviction to a penalty not exceeding the maximum penalty prescribed under the Act.

Inoperable buscard reader

7C.—(1) Where a buscard reader in an omnibus is or becomes inoperable, the omnibus driver must allow any passenger who has not paid his or her omnibus fare as a result of the inoperable buscard reader to travel on the omnibus to his or her intended destination without paying his or her omnibus fare.

(2) Any omnibus driver who contravenes subregulation (1) commits an offence and is liable to a fixed penalty of \$1,000.

(3) Where an omnibus driver fails to pay the fixed penalty and a late payment fee within the prescribed period, the omnibus driver is liable upon conviction to a penalty not exceeding the maximum penalty prescribed under the Act.

Damage, manipulation or interference with the operations of a buscard reader

7D.—(1) A person must not damage, manipulate or interfere with the operations of a buscard reader.

(2) Any person who contravenes subregulation (1) commits an offence and is liable to a fixed penalty of \$1,000.

(3) Where a person fails to pay the fixed penalty and a late payment fee within the prescribed period, the person is liable upon conviction to a penalty not exceeding the maximum penalty prescribed under the Act.”.

Made this 2nd day of November 2017.

A. SAYED-KHAIYUM
Attorney-General and Minister for Communications