



Victoria Government Gazette

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Transport (Compliance and Miscellaneous) Act 1983

CONDITIONS UNDER SECTION 220D

I, Richard Bolt, Secretary to the Department of Economic Development, Jobs, Transport and Resources, under section 220D(1) of the **Transport (Compliance and Miscellaneous) Act 1983**, hereby determine the following conditions (the 2017 Amending Conditions No. 1) which amend the conditions under section 220D of the **Transport (Compliance and Miscellaneous) Act 1983** contained in the Victorian Fares and Ticketing Manual (effective 1 January 2017) published in the Victoria Government Gazette No. S. 401 dated Thursday 29 December 2016.

The 2017 Amending Conditions No. 1 take effect from and including 1 July 2017.

Dated 13 June 2017

RICHARD BOLT
Secretary

SPECIAL

2017 AMENDING CONDITIONS NO. 1

The conditions under section 220D of the **Transport (Compliance and Miscellaneous) Act 1983** contained in the Victorian Fares and Ticketing Manual (effective 1 January 2017) published in the Victoria Government Gazette No. S. 401 dated Thursday 29 December 2016 (the Manual) are amended as follows.

The amendments made by these amending conditions apply in respect of entitlements to use a public transport service that are subject to the conditions contained in the Manual and that are able to be exercised on or after the commencement of these amending conditions, including entitlements that existed, but had not been exercised, before these amending conditions were published in the Government Gazette.

In Chapter 2 of the Manual, under the heading '**FARES**' –

- (a) in the first paragraph, for 'designated area' **substitute** 'compulsory ticket area'; and
- (b) in the second paragraph, for 'designated area' **substitute** 'compulsory ticket area'.

In Chapter 2 of the Manual, for the heading '**DESIGNATED AREAS**', **substitute** '**COMPULSORY TICKET AREAS**'.

In Chapter 2 of the Manual, under the heading '**DESIGNATED AREAS**' –

- (a) in the first paragraph for 'designated area' **substitute** 'compulsory ticket area'; and
- (b) in the second paragraph, for 'designated area' **substitute** 'compulsory ticket area'.

In Chapter 2 of the Manual, under the heading '**VALIDITY OF TICKETS**' –

- (a) in the first paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (b) in the third paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (c) in the first sentence under the subheading '**Day Pass**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (d) in the first sentence under the subheading '**Other tickets**', for 'designated area' **substitute** 'compulsory ticket area'.

In Chapter 2 of the Manual, under the heading '**USE OF TICKETS**' –

- (a) in the first paragraph, for 'designated area' **substitute** 'compulsory ticket area' where twice occurring; and
- (b) in the first paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (c) in the second paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (d) in the third paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area' where thrice occurring; and
- (e) in the fourth paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area' where thrice occurring; and
- (f) in the fifth paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area'; and
- (g) in the sixth paragraph under the subheading '**myki**', for 'designated area' **substitute** 'compulsory ticket area' where twice occurring; and
- (h) in the paragraph under the subheading '**Other tickets**', for 'designated area' **substitute** 'compulsory ticket area' where twice occurring.

In Chapter 2 of the Manual, under the heading '**V/LINE PICK UP AND SET DOWN RESTRICTIONS**', in the third paragraph, for 'designated area' **substitute** 'compulsory ticket area'.

In Chapter 2 of the Manual, under the heading ‘**NEW CONDITIONS FOR, AND ABOLITION OF, TICKET TYPES**’, in the second paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 3 of the Manual, under the heading ‘**FREE TRAVEL PASSES**’, in the second paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 4 of the Manual, under the heading ‘**HOW TO USE A MYKI**’, in the third paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 4 of the Manual, under the heading ‘**WHERE TO BUY A MYKI**, for the fifth dot point **substitute** –

- myki machines (Full Fare) at myki enabled railway stations, selected tram stops and bus interchanges, and the PTV Hub at Southern Cross Station and at 750 Collins Street, Docklands;’.

In Chapter 4 of the Manual, under the subheading ‘**Auto top up**’ under the heading ‘**WHERE TO TOP UP A MYKI**’, in the seventh paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 6 of the Manual, under the heading ‘**WHAT IS A MYKI PASS**’, in the third paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 8 of the Manual, under the heading ‘**TOUCH ON/TOUCH OFF**’ –

- (a) in the first paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (b) in subparagraph (a) of the third paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’; and

In Chapter 8 of the Manual, under the subheading ‘**Touch on/touch off – train**’ under the heading ‘**TOUCH ON/TOUCH OFF**’ –

- (a) in the first paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (b) in the second paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (c) in the third paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’ where thrice occurring; and
- (d) in the fourth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’ where thrice occurring; and
- (e) in the fifth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’ where thrice occurring.

In Chapter 8 of the Manual, under the subheading ‘**Touch on period**’ under the heading ‘**TOUCH ON/TOUCH OFF**’, in the sixth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 8 of the Manual, in the paragraph under the subheading ‘**Negative myki Money balances**’ under the heading ‘**MINIMUM REQUIREMENTS FOR TRAVEL**’, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 12 of the Manual, under the heading ‘**DAY PASS**’ –

- (a) in the fourth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (b) in the sixth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’ where twice occurring; and
- (c) in the eighth paragraph, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 13 of the Manual, under the subheading ‘**Surrendered mykis**’ under the heading ‘**MYKI**’ –

- (a) in the first paragraph, for ‘19 of the Transport (Ticketing) Regulations 2006’ **substitute** ‘21 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017’; and
- (b) in the paragraph under the sub-sub-heading ‘*Receipts*’, for ‘19 of the Transport (Ticketing) Regulations 2006’ **substitute** ‘21 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017’; and

- (c) in the fifth paragraph under the sub-subheading ‘*Refunds and replacements*’, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (d) in the sixth paragraph under the sub-subheading ‘*Refunds and replacements*’, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 13 of the Manual, under the heading ‘**V/LINE TICKETS**’ –

- (a) in the first paragraph under the subheading ‘**Surrendered tickets**’, for ‘19 of the Transport (Ticketing) Regulations 2006’ **substitute** ‘21 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017’; and
- (b) in the first bullet point under the fifth paragraph under the subheading ‘**Surrendered tickets**’, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (c) in the second bullet point under the fifth paragraph under the subheading ‘**Surrendered tickets**’, for ‘designated area’ **substitute** ‘compulsory ticket area’.

In Chapter 18 of the Manual, under the heading ‘**DEFINITIONS**’ –

- (a) for the definition of ‘**authorised person**’ and the quotation that follows the definition **substitute** –

“‘**authorised person**’ has the same meaning as ‘authorised person (ticketing)’ in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.

The relevant text of Regulation 5 reads:

- ‘authorised person (ticketing)’ means –
 - (a) an authorised officer; or
 - (b) a member of the police force; or
 - (c) a protective services officer; or
 - (d) a person employed by a passenger transport company or a bus company who has duties in relation to the issue, inspection or collection of tickets for travel in a passenger vehicle or for entry to a compulsory ticket area; or
 - (e) a person (other than a person referred to in paragraph (a) or (d)) appointed in writing by a passenger transport company or a bus company or the Secretary, the Head, Transport for Victoria or the Public Transport Development Authority for the purposes of these Regulations; or
 - (f) if a bus company is a natural person, that person.’; and
- (b) in the definition of ‘**cardholder**’, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (c) after the definition of ‘**cardholder**’, insert the following definition and quotation –

“‘**compulsory ticket area**’ or ‘**station paid area**’ has the same meaning as in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.

The relevant text of regulation 5 reads:

- ‘compulsory ticket area’ means –
 - (a) an area of land or an area within premises owned or occupied by a passenger transport company that is designated by the passenger transport company by means of signs in or near the area as an area for entry to which a ticket valid for that entry is required; or
 - (b) if a railway station is specified by the Secretary in a notice published in the Government Gazette as a station to which this paragraph applies –
 - (i) a platform at that station;
 - (ii) a waiting room or area adjoining a platform from which the platform can be accessed without the need to pass a smartcard reader or a ticket barrier;

- (iii) an area between a platform and any smartcard reader or ticket barrier that it is necessary to pass to gain access to the platform.’; and
- (d) in the definition of **‘concession entitlement’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (e) for the definition of **‘concession ticket’** and the quotation that follows the definition, **substitute** –
‘**concession ticket**’ has the same meaning as in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.
The relevant text of Regulation 5 reads:
- ‘concession ticket’ means a ticket that, in accordance with conditions determined under section 220D of the Act –
 - (a) authorises free travel, or travel at a price less than the full fare, in a passenger vehicle; or
 - (b) authorises free entry, or entry at a price less than the full price for entry, to a compulsory ticket area.’; and
- (f) **omit** the definition of **‘designated area’** or **‘station paid area’** and the quotation that follows the definition; and
- (g) in the definition of **‘fare’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (h) in the definition of **‘free travel pass’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (i) for the definition of **‘myki’** or **‘myki card’** and the quotation that follows the definition, **substitute** –
‘**myki**’ or **‘myki card’** has the same meaning as ‘myki’ in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.
The relevant text of Regulation 5 reads:
- ‘myki’ means a ticket that is a smartcard, as defined in section 208 of the Act, capable of –
 - (a) recording a myki product or myki money; and
 - (b) in respect of myki money –
 - (i) recording the value of that myki money; and
 - (ii) transferring information to other electronic devices so as to effect modifications to that value to reflect payment for travel in a passenger vehicle or entry to a compulsory ticket area; and
 - (iii) recording that value as so modified.’; and
- (j) for the definition of **‘myki money’** **substitute** –
‘**myki money**’ means a dollar amount paid to PTV and recorded as value on a myki.’; and
- (k) in the definition of **‘product’**, for ‘designated areas’ **substitute** ‘compulsory ticket areas’; and
- (l) for the definition of **‘ticket’** and the quotation that follows the definition, **substitute** –
‘**ticket**’ has the same meaning as in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.
The relevant text of Regulation 5 reads:
- ‘ticket’ means a ticket, pass, card (including a debit or credit card), permit, authority, device, software application, symbol or other thing issued, or which may be used, for the purpose of authorising travel in a passenger vehicle or entry to a compulsory ticket area.’; and

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- (m) for the definition of **‘ticket barrier’** and the quotation that follows the definition, **substitute** –
‘ticket barrier’ has the same meaning as in regulation 5 of the Transport (Compliance and Miscellaneous) (Ticketing) Regulations 2017.
The relevant text of Regulation 5 reads:
- **‘ticket barrier’** means a barrier that is intended to be used to regulate access to or egress from a part of a railway station that is a compulsory ticket area.’ and
- (n) in paragraph (a)(iii)(B) of the definition of **‘touch on’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (o) in the definition of **‘touch off’** –
- a. in paragraph (a)(iii), for ‘designated area’ **substitute** ‘compulsory ticket area’; and
 - b. in paragraph (a)(iv), for ‘designated area’ **substitute** ‘compulsory ticket area’ where twice occurring; and
 - c. in paragraph (b)(ii), for ‘designated area’ **substitute** ‘compulsory ticket area’; and
 - d. in paragraph (b)(iii), for ‘designated area’ **substitute** ‘compulsory ticket area’ where twice occurring; and
- (p) in paragraph (b) of the final paragraph of the definition of **‘Zone 2’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (q) in the paragraph immediately following the heading **‘Public transport day’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (r) in paragraphs (a) and (c) in the paragraph immediately following the heading **‘Travelling within a zone or zones’**, for ‘designated area’ **substitute** ‘compulsory ticket area’; and
- (s) in paragraph (d) in the paragraph immediately following the heading **‘Travelling within a zone or zones’**, for ‘designated area’ **substitute** ‘compulsory ticket area’ where twice occurring.
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