

AFGØRELSE FRA ANKENÆVNET FOR BUS, TOG OG METRO

Journalnummer:	2020-0093
Klageren:	XX Storbritannien
Indklagede: CVR-nummer:	Metroselskabet I/S v/Metro Service A/S 21 26 38 34
Klagen vedrører:	Kontrolafgift på 750 kr. samt rykkergebyr på 100 kr., i alt 850 kr. grundet rejse på børnebillet som voksen – klageren troede, at hans udenlandske studiekort kunne sidestilles med det danske "Ungdomskort", samt klage over stewardens adfærd ved kontrollen
Parternes krav:	Klageren ønsker, at ankenævnet annullerer kontrolafgiften, og gør gældende, at den givne information var utilstrækkelig, og at stewarden behandlede ham og hans kæreste dårligt ved at grine ad dem og ikke at lade dem forklare sig Indklagede fastholder kontrolafgiften
Ankenævnets sammensætning:	Nævnensformand, landsdommer Tine Vuust Rasmus Markussen Torben Steenberg Asra Stinus Helle Berg Johansen

Ankenævnet for Bus, Tog og Metro har på sit møde den 9. september 2020 truffet følgende

AFGØRELSE:

Metroselskabet I/S v/Metro Service A/S er berettiget til at opretholde kravet om betaling af kontrolafgiften på 750 kr. samt rykkergebyret på 100 kr., i alt 850 kr.

Beløbet skal betales til Metroselskabet I/S v/Metro Service A/S, som sender betalingsoplysninger til klageren.

Da klageren ikke har fået medhold i klagen, tilbagebetales klagegebyret ikke, jf. ankenævnets vedtægter § 24, stk. 2, modsætningsvist.

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Hver af parterne kan anlægge sag ved domstolene om de forhold, som klagen har vedrørt.

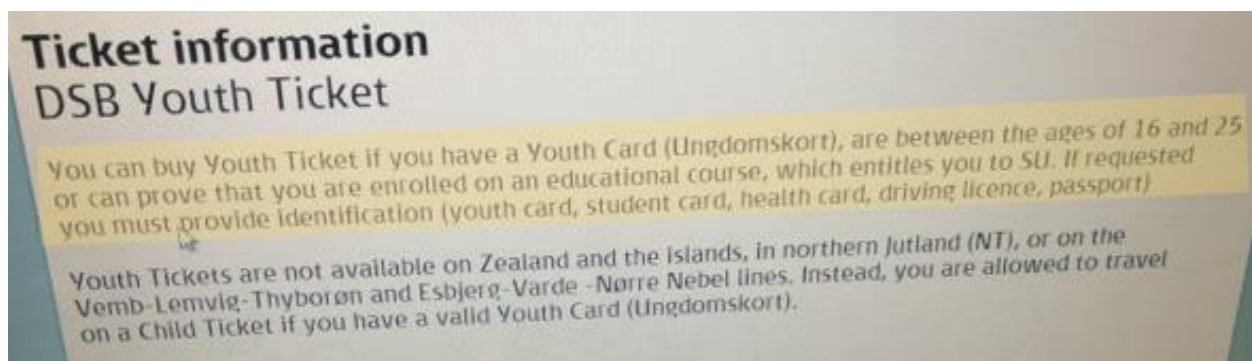
Klageren henvises til at søge yderligere oplysning om eventuel bistand i forbindelse med sagsanlæg fx på www.domstol.dk, www.advokatnoeglen.dk og /eller eget forsikringselskab om eventuel forsikringsretshjælp.

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SAGENS OMSTÆNDIGHEDER:

Klageren, som var 24 år gammel og turist i København, skulle den 8. marts 2020 rejse med Metroen fra Københavns Hovedbanegård til Kongens Nytorv st. Han har oplyst, at han studerer i sit hjemland og havde et studiekort, som han under sit besøg foreviste mange gange, hvorved han fik studierabat på museumsentréer mv. Da han skulle købe billet til at rejse med Metroen, forstod han derfor informationen på billetautomaten således, at han med sit studiekort kunne rejse på en børnebillet.

Klageren har oplyst, at han billetterede i én af DSB's billetautomater på Hovedbanegården, hvor han fik vist følgende information på skærmen:



Ved kontrol i Metroen foreviste klageren således en børnebillet sammen med sit studiekort, hvorefter han blev pålagt en kontrolafgift på 750 kr. for som voksen at rejse på børnebillet. Klageren har oplyst, at han i kontrolsituationen forsøgte at forklare misforståelsen til Metrostewarden, men ifølge klageren var hun uforskammet og ville ikke lytte til hans forklaring, og hun grinede endog hånligt af hans fejltagelse.

Da klageren ikke betalte kontrolafgiften, sendte Metro Service den 29. april 2020 en betalingspåmindelse til klageren og pålagde et rykkergebyr på 100 kr., så kravet nu udgjorde i alt 850 kr.

Den 12. maj 2020 anmodede klageren Metro Service om at frafalde kontrolafgiften og anførte som ovenfor, samt at han havde været overbevist om at have købt den rette billet. Han oplyste videre, at han var taget tilbage til Hovedbanegården, hvor han i informationen fik at vide, at han skulle klage direkte til Metro Service, når han modtog kontrolafgiften, hvilket han havde gjort dagen forinden.

Metro Service fastholdt samme dag kontrolafgiften med henvisning til selvbetjeningssystemet og til, at det kun er muligt som ung/studerende at benytte børnebillet sammen med et "Ungdomskort", hvilket også fremgik af billetautomatens information. Sammen med svaret fremsendte Metro Service en ny betalingspåmindelse, hvor rykkergebyret af 29. april 2020 var fastholdt.

Metro Service har under ankenævnsagen indsendt følgende information, som fremgår på kontrolafgiften/giroblanketten, som klageren fik udleveret ved kontrollen:

<p>INDBETALINGSKORT</p> <p>Se betingelser i betingelsesbilag, ved brug af QR-koden eller via payment.metroservice.dk</p> <p>Kreditnummer og betalingsmiddel: 85 61 16 15</p> <p>Metro Kundeservice (Metrovej 3, 2300 København S, www.dinoflertigettransport.dk)</p>	
<p>Læs venligst vigtige oplysninger på bagsiden. Betalings- og ankefrist 14 dage. Payment or a written complaint is due within 14 days.</p>	
<p>00</p> <p>Til medlems aflevering - Udstedt venligst af en Metro Kundeservice medarbejder</p> <p>DK 7501 (11-12) 738-13710</p> <p>+71<00000085300143 +85611615<</p>	
<p>Kontrolafgifts nr.: 00853001-43</p> <p>Fare evasion ticket no.</p> <p>QR code and barcode</p>	
<p>For yderligere information, se bagsiden. For further information see the back.</p>	
<p>For yderligere information, se bagsiden. For further information see the back.</p>	
<p>Important information about your continued journey</p> <p>The payment slip for this fare evasion ticket is valid as a single fare ticket for your continued journey. The fare evasion ticket is only valid for one continued journey with the Metro, to the station mentioned as your destination when the fare evasion ticket was issued. If the fare evasion ticket is issued to a child (under the age of 16), it is valid as a ticket for buses, trains and Metro in zones 1 through 99.</p>	
<p>00</p> <p>Kreditnummer 85 61 16 15</p> <p>Metro Kundeservice (Metrovej 3, 2300 København S, www.dinoflertigettransport.dk)</p> <p>QR code: 0085300143</p>	

Du har netop modtaget en kontrolafgift

Indgå de fælles betingelser skal du, hvis du ikke kan henvisse gyldigt billet eller kort, oplyses om din færdi, adresse, fødselsdag og år og på forangående visa gyldig legitimation med foto.

Situationen skal ikke vurderes om du betaler for udstedt af have gyldig registrering eller et, situation skal blot kontrolere, om du er i besiddelse af gyldig billet eller kort og give dig en hydebestørende forklaring på årsagen til udstedelsen af kontrolafgiften, hvis ønsket. A segesbemyndiget skal levere Metro Kundeservice ved rett idag skriftlig henvendelse.

Øvner du et klogt?

Af henset til vores medarbejders sikkerhed skal swarden ikke oplyses alt navn, når der gøres medlems billetkontrol, men skal på forangående formid Metro ID Øvner på kontrolafgiftens kuffert og skal fremlægge kontrolafgiftens nummer samt swardens ID. Øvner du at klage over den kontrolafgift, du har modtaget eller den betjening du har fået af swarden, skal du henvende dig hurtigt til Metro Kundeservice senest 14 dage efter udstedelsen af kontrolafgiften. Du kan henvende dig på: https://dinoflertigettransport.dk/kundeservice/service/kontrolafgift/. Her kan du, også lase mere om, hvordan vi behandler dine personoplysninger.

Du kan også søve til os på adressen: Metro Kundeservice Metrovej 3, 2300 København S telefonnummer 70151615 / Åbningstid kl. 10-14

Betjen i metroen er omfattet af de betales indtægtskønde rapporter samt vedligeholdelse af, såvel som søve på ljet medierne www.dinoflertigettransport.dk. Kontrolafgiften modtages ved forvisning af, at på vejledning af ljet, gyldigt personligt pendlerkort. Skjoldes kontrolafgift med udvalgte personkort, an afgiften indføres hvis den udfærdigede fornyes med et nyt kort, som afgiften er udstedt og hvis gyldighedsperiode i den ikke er over skrevet med mere end en hverdag.

Payment of fare evasion ticket and complaint options

The fare evasion ticket must be paid within 14 days of the date of issue. The fare evasion ticket can be paid online using a credit card, by scanning the QR code on this payment slip, or by visiting the website https://payment.metroservice.dk. This payment slip can also be used at a bank or for internet banking. Written complaints about the fare evasion ticket must be received by Metro Customer Service within 14 days from the date of issue. If you have a valid commuter pass, your fare evasion ticket can be reduced when documentation is sent to us. If your commuter pass was expired, reduction is possible as long as the pass is not expired by more than 24 hours and is immediately renewed following issue of a fare evasion ticket and documentation is sent to us. A complaint form is available on https://dinoflertigettransport.dk/tourist/help/

Læs venligst vigtige oplysninger på bagsiden. Betalings- og ankefrist 14 dage. Please read the important information on the back of this ticket. Payment or a written complaint is due within 14 days.

For yderligere information, se bagsiden. For further information see the back

Important information about your continued journey
The payment slip for this fare evasion ticket is valid as a single fare ticket for your continued journey. The fare evasion ticket is only valid for one continued journey with the Metro, to the station mentioned as your destination when the fare evasion ticket was issued. If the fare evasion ticket is issued to a child (under the age of 16), it is valid as a ticket for buses, trains and Metro in zones 1 through 99.

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Contact information:
Metro Customer Service
Metrovej 3, 2300 København S
Phone number +4570151615
Opening hours: 10 AM through 2 PM

ANKENÆVNETS BEGRUNDELSE:

Klageren rejste den 8. marts 2020 med Metroen på en børnebillet, som han foreviste ved kontrollen med henvisning til, at han var studerende og havde studiekort.

Da klagerens studiekort ikke gav adgang til at rejse på børnebillet, var den 24-årige klager ikke i besiddelse af gyldig rejsehjemmel. Kontrolafgiften blev derfor pålagt med rette.

Om end det kan være svært som turist at forstå rejseregler og billettyper i et fremmet lands transportsystem, finder ankenævnet, at klageren ikke med rette kunne gå ud fra, at et "Ungdomskort" (Youth Card), som i visse tilfælde giver adgang til at rejse på børnebillet, var det samme som et "studiekort" (Student Card), som klageren var indehaver af, og at han derfor var berettiget til at rejse på børnebillet. Efter ankenævnets opfattelse burde han derfor have undersøgt dette nærmere ved fx at henvende sig i det betjente billetsalg på Københavns Hovedbanegård, hvor han købte billetten i automaten.

Ankenævnet bemærker, at det ikke er en betingelse for at pålægge en kontrolafgift, at passageren bevidst har søgt at unddrage sig fuld betaling for billettens pris.

Herefter finder ankenævnet, at der ikke har foreligget sådanne særlige omstændigheder, at kontrolafgiften skal frafaldes.

Ankenævnet bemærker videre, at Metro Service har beklaget klagerens dårlige oplevelse i forbindelse med kontrollen, og har ikke grundlag for at udtale en direkte kritik af kontrollen.

Da kontrolafgiften ikke blev betalt inden udløbet 14-dages fristen, som fremgår af den kontrolafgift, klageren fik udleveret i forbindelse med kontrollen, var Metro Service berettiget til at sende en rykkerskrivelse den 29. april 2020 pålagt et rykkergebyr på 100 kr.

RETSGRUNDLAG:

Ifølge § 2, stk. 1, jf. § 3 nr. 3 i lovbekendtgørelse nr. 686 af 27. maj 2015 om lov om jernbaner, gælder loven også for metroen. Af § 14 stk. 1, fremgår jernbanevirksomhedernes adgang til at opkræve kontrolafgift og ekspeditionsgebyr for passagerer, der ikke foreviser gyldig rejsehjemmel (billetter og kort). Jf. § 14 stk. 4, fastsætter transportministeren nærmere regler om jernbanevirksomhedens adgang til at opkræve kontrolafgift og ekspeditionsgebyr, jf. stk. 1.

I henhold til § 4 i bekendtgørelse nr. 1132 om kontrolafgifter af 28. september 2010, fastsætter jernbanevirksomheden bestemmelser om kontrolafgift i forretningsbetingelserne.

I de fælles landsdækkende rejseregler, som trafikvirksomhederne har vedtaget, præciseres hjemmelen til udstedelse af en kontrolafgift.

Det anføres således bl.a., at passagerer, der ikke på forlangende viser gyldig rejsehjemmel, herunder er korrekt checket ind på rejsekort til deres rejse, skal betale en kontrolafgift på 750 kr. for voksne.

Fra hjemmesiden <https://www.ungdomskort.dk/ungdomskort/>:

”

Ungdomskort

Public transport discount for all 16-19-year-olds, for students on a youth education programme and for students in higher education

You can obtain a public transportation pass known as "Ungdomskort" if you meet the conditions, if you are 16-19 years old, a student on [a youth education programme](#) or a student on a higher education programme approved for SU.

The Ungdomskort provides a daily public transport discount from your residence to the educational institution. In addition, the Ungdomskort offers a number of other advantages. You can use the Ungdomskort to go by bus, train and metro. The Ungdomskort is subject to various conditions depending on whether you are 16-19 years old, a student on a youth education programme or a student in higher education.

”

Uddrag af renteloven (LBK nr 459 af 13/05/2014):

” § 9 b. For rykkerskrivelser vedrørende fordringer kan fordringshaveren kræve et gebyr, jf. stk. 2, såfremt skrivelsen er fremsendt med rimelig grund (rykkergebyr). Fordringshaveren kan endvidere kræve et gebyr, jf. stk. 3, for at anmode en anden om at inddrive fordringen på fordringshaverens vegne, såfremt dette er sket med rimelig grund (inkassogebyr).

Stk. 2. Der kan kræves et rykkergebyr på højst 100 kr. for hver rykkerskrivelse, dog højst for 3 skrivelser vedrørende samme ydelse. Har skyldneren inden for en sammenhængende periode til stadighed været i restance vedrørende samme skyldforhold, kan der uanset 1. pkt. højst kræves rykkergebyr for 3 skrivelser vedrørende restancerne i den pågældende periode. Der kan kun kræves gebyr for rykkerskrivelser, som er sendt med mindst 10 dages mellemrum.

Stk. 3. Der kan kræves et inkassogebyr på højst 100 kr.”

PARTERNES ARGUMENTER OVER FOR ANKENÆVNET:

Klageren anfører følgende:

” I was visiting Copenhagen with my partner and we brought tickets from the central station using the ticket machines selling tickets for train, bus and metro. We were travelling on the metro from there to Kongens Nytorv. We had been sightseeing all day and everywhere we went accepted student cards for discounts (I am currently a student). When we went to buy the ticket we saw there was also an option to buy a youth ticket. I read the details of this and it stated "you can buy a youth ticket if you have a youth card, are between the ages of 16 and 25, or can prove you are enrolled on an educational course which entitles you to SU....e.g .a youth card or a student card". I am 24 years old and had a valid student card on me so I felt I satisfied the criteria for the youth ticket. It says below this that the youth ticket is not available on a number of lines (I obviously did not know which ones since I am a tourist and not familiar with your rail net-

works), in stead you should purchase a child ticket and use that. When I therefore tried to buy the youth ticket for the metro route we were to take it would not allow me. Instead another notice came up stating "it is not possible to buy a youth ticket on (a number of other lines, I cant type them but I have a picture of this also). If you have a youth card you my buy a child ticket. I therefore assumed this must be one of the routes specified and therefore proceeded to purchase a child ticket, thinking my student card would cover me like it stated on the previous notice, since I did not know there was any difference between the youth card and any other student card. My partner purchased an adult ticket since she was not a student. We believed we were both covered by our respective tickets, and proceeded to board the train. We had our tickets checked by one of the ticket attendants who laughed at us and smiled as she gave me a ticket for travelling on a child ticket when I am obviou sly not a child, without allowing me to explain the situation. She was rude and unhelpful, and a stark contrast to everyone else we had met in your lovely city, who were all so kind generous and helpful. she escorted us off the train to issue the fine and we tried to take her to one of the ticket machines so we could show her the steps we undertook to arrive these tickets. She refused and was very eager to issue the ticket, without giving us the proper opportunity to present the evidence and show we were not purposefully trying to evade the system. We then returned to the central station and went straight to the help desk in the station who said we needed to contact the company once we had the fine through the post to contest it. We strongly felt we had followed the guidance to the letter and were in the right to travel on that child ticket. I went back to the ticket booth I had used and took photographic evidence of all the steps which we undertook so you can see the process we took and the ambiguity of the information on screen. I have all of these photos and will gladly share them with you but I cannot see how to do this on this form. I would like to add that we then proceeded to purchase 2 full adult tickets for our next journey. I therefore think this "fare evasion ticket" is inappropriate, since the information was insufficient for someone who does not know the youth card system, or the names of the different rail lines to understand whether or not they were eligible for the youth ticket. Furthermore I would like to highlight that I fully read all of the information, and had there been any doubt in my mind that I was not following the correct guidance I would have sought further assistance or purchased an adult ticket"

Indklagede anfører følgende:

" Like all other means of public transportation in the greater Copenhagen area, the Copenhagen Metro employs a self-service system, where the passenger is responsible for being in possession of a valid ticket, for the entire journey, before boarding the train.

Passengers must be able to present a valid ticket on demand to the ticket inspectors.

The complainant was issued a fare evasion ticket March 8th, 2020 as he could only present a child ticket upon inspection and as he is older than 16 years and did not have a Youth Card (Ungdomskort) an adult ticket was required.

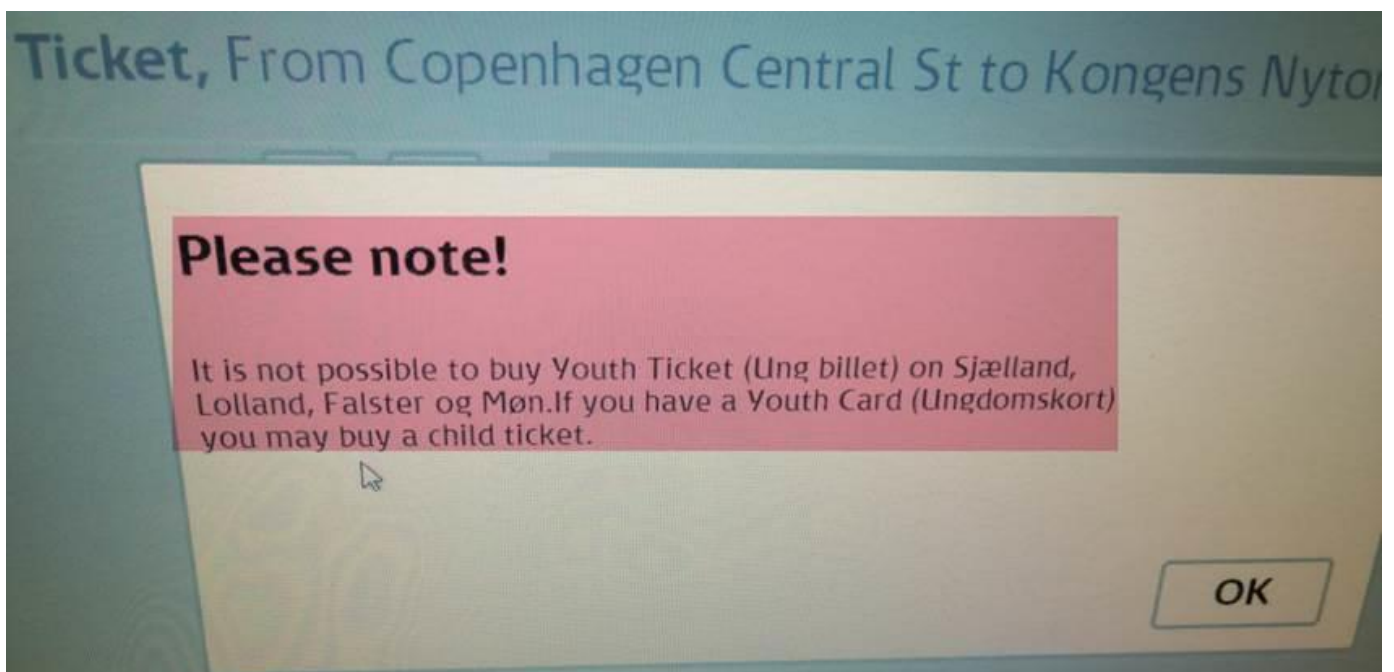
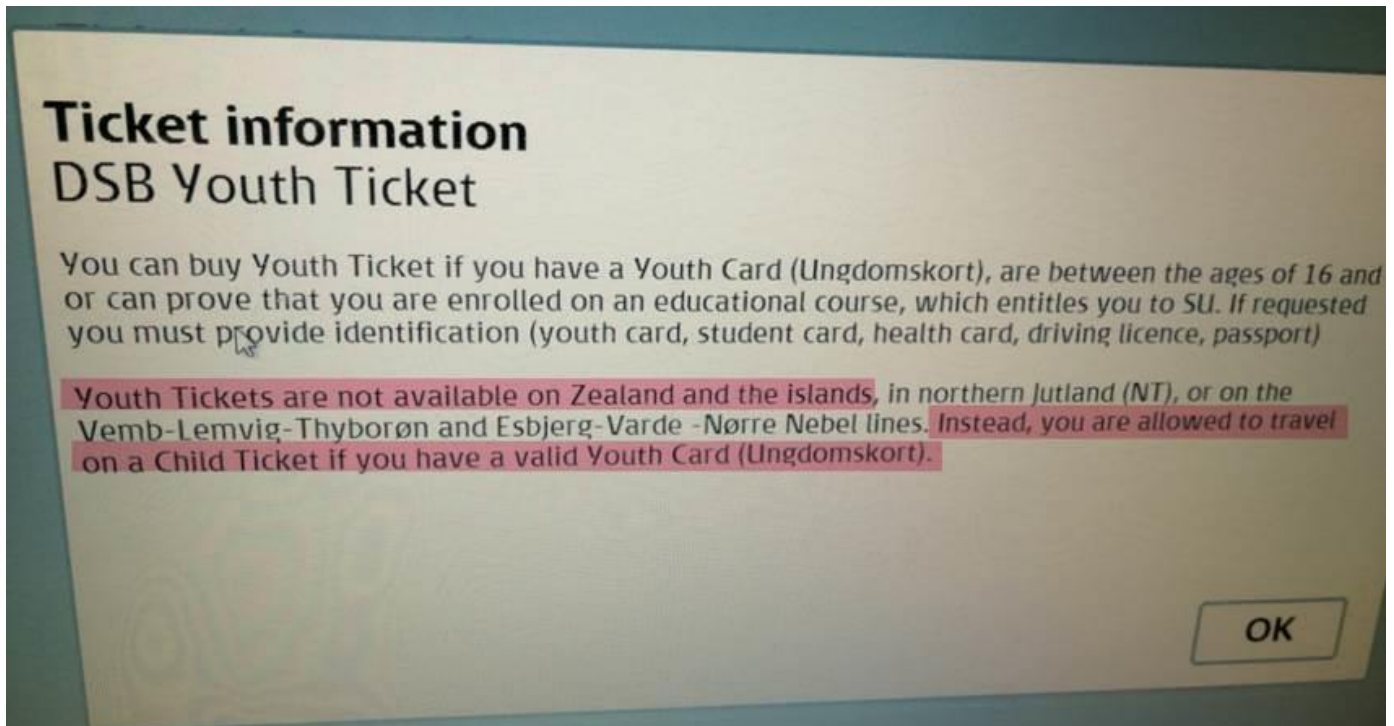
In cases where passengers are not able to present a valid ticket, a fare evasion ticket will be issued. A fare evasion ticket is currently DKK 750 for adults. This basic rule is a prerequisite for the self-service system that applies to travel by public transport. The above mentioned information is available on

<https://dinoffentligetransport.dk/service/for-tourists/> and

<https://www.rejsekort.dk/~media/rejsekort/pdf/flr/jointnationaltravelregulations.pdf>.

We are aware that some museums and attractions gives a discount for students when showing their student card, but this is not a common practice for all museums and attractions I Copenhagen, and certainly not when using public transportation.

As written on the screen, Youth Ticket are not available on Zealand (Sjælland). Instead the cardholders are allowed to travel on a Child Ticket ***IF*** they have and can present a valid Youth Card (Ungdomskort) together with the Child Ticket.



The text on the ticket valid machine clearly stated Youth Card (Ungdomskort) – not student card.

A Youth Card (Ungdomskort) are just like a monthly pass, where you pay in advance (for 1, 2 or 3 month) to ride in a greater district on Sjælland or Lolland, Falster and Møn.

If you need to go outside the area your Youth Card (Ungdomskort) is valid for, you can buy a Youth Ticket or a Child Ticket depending on your destination.

Upon inspection you need to show your Youth Card (Ungdomskort) together with the Youth Ticket or Child Ticket.

A Youth Card (Ungdomskort) can be ordered and bought via DSB's webpage if following criteria are met:

- You are between 16 and 19 years
- A student on a Youth education
- A student in higher education who are entitle to SU

With a Youth Card (Ungdomskort) the cardholder are allowed to ride in the area where he or she are living and studying.

You can read more about the terms here - <https://www.ungdomskort.dk/om-ungdomskort/betingelser/>

It is not enough to have a student card or be entitle to SU – this gives no discount when buying ticket for public transportation for Danish citizens or foreigners travelling on Zealand or the islands (Sjælland, Lolland, Falster or Møn).

Very unfortunately the complainant assumed, he could buy a Child Ticket as he had a student card. To be sure he could have chosen to go to the help desk at the station for clarification (the desk he later contacted regarding the fare evasion fine).



We off course apologize if the complainant found the ticket attendant rude an unhelpful, and that she laughed at them. I am very sure that she did not laugh at them but instead smiled as a friendly gesture. When our stewards do not listen or accept a customers explanation to why they may have bought a wrong ticket, they are not unhelpful or rude, they simply act according to instructions. As we want to secure an equal handling in all cases the stewards are not allowed to take into consideration what might be the reason for the lack of a valid ticket and must not distinguish if the lack of a valid ticket is due to an intentional or unintentional mistake.

If the customer finds the fare evasion ticket wrongly issued he or she have to contact Customer Service. All case processing is done exclusively by the Customer Service Department after written inquiry.

To conclude we have to refer to the fact that the complainant did not respect the deadline for appeal which is 14 days from the date of issue, as stated at the fare evasion ticket. The complainant did not contest the fare evasion until 2 month later, and after receiving af reminder.

The fare evasion ticket was issued March 8th, the reminder was sent April 29th and the complainant did not contact us until May 12th.

Information about payment and written complaint was to be found on the fare evasion ticket (se example below).

Regnr. _____		Nomor. _____											
INDBETALINGSKORT													
Den betalte betaling skal vedlægges af QR-koden eller via payment.metroservice.dk													
Kreditnummers og betalingskort 85 61 16 15		Metro Kundeservice Metrovej 3 2300 København S www.dinoffentligetransport.dk											
<p>Læs venligst vigtige oplysninger på bagsiden. Betalings- og ankefrist 14 dage. Please read the important information on the back of this ticket. Payment or a written complaint is due within 14 days.</p>													
<p>00</p> <p>Til maskinell udlæsning – Udstal værdigt af sorte i indersiden af feltet</p> <p>00</p> <p>+71<000000085300143 +85611615<</p>													
<p>Kontrolafgiftsnr.: 00853001-43</p> <p>Fare evasion ticket no. </p> <table border="1"> <thead> <tr> <th>Dag</th> <th>Måned</th> <th>År</th> <th>Udgivelsesdato</th> <th>Stations ID</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>Fra _____ Til _____</p> <p>Årsag _____</p> <p>00</p> <p>Kreditnummer 85 61 16 15</p> <p>Metro Kundeservice Metrovej 3 2300 København S www.dinoffentligetransport.dk</p> <p> 0085300143</p>				Dag	Måned	År	Udgivelsesdato	Stations ID					
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Du har netop modtaget en kontrolafgift

Hjælp os holde os raske og sikre, ved at lade den fremtidige gyldige billet eller kort, oplyses os om dit fulde navn, adresse, fødselsdag og -år, og på forangående gyldig lag information med foto.

Stavarden skal ikke stemples, og du behøver ikke understøtte at have gyldig rejsepenge eller et Metro ID. Hvis du skal blot kontrollere, om du er i besiddelse af gyldig billet eller kort, og give dig en hvidtgrønnet forklaring på årsagen til udstedelsen af kontrolafgift, hvis ønsket. A sagshandling sker kun hos Metro Kundeservice ved rettidig skriftlig henvendelse.

Ønsker du at klage?

Af henset til vores medarbejders sikkerhed skal stavarden ikke oplyses af navn, når de gennemføres billetkontrol, men skal på forangående fremvises Metro ID. Ønsket på kontrolafgiftens kollektionsdel finder du kontrolafgiftens nummer samt stavardens ID. Ønsker du at klage over din kontrolafgift, du har modtaget eller den betaling du har fået af stavarden, skal du henvende dig rettidigt til Metro Kundeservice senest 14 dage efter udstedelsen af kontrolafgiften. Du kan henvende dig på: <https://dinoffentligetransport.dk/kundeservice/service/kontrolafgift/>. Her kan du også høre mere om, hvordan vi behandler dine personoplysninger.

Du kan også søve til os på adressen:
Metro Kundeservice
Metrovej 3
2300 København S
Telefonnummer 70151615 / Åbningskl. kl. 10-14

Følger i metroen er omfattet af de betales landsdækkende rejsepenge samt rejseforhøjningsmuligheder, som kan søges på www.dinoffentligetransport.dk. Kontrolafgift modtages ved forvisning af, at på rejseforhøjningsmuligheder, gyldigt personligt pendlerkort. Gyldige kontrolafgifter udstedes på grund af personlige årsager, som rejser er udstedt og hvis en gæstefuldhedsfoden ikke er overensstemmende med mere end en hverdag.

Payment of fare evasion ticket and complaint options
The fare evasion ticket must be paid within 14 days of the date of issue. The fare evasion ticket can be paid online using a credit card, by scanning the QR code on this payment slip, or by visiting the website <https://payment.metroservice.dk>. This payment slip can also be used at a bank or for internet banking. Written complaints about the fare evasion ticket must be received by Metro Customer Service within 14 days from the date of issue. If you have a valid commuter pass, your fare evasion ticket can be reduced when documentation is sent to us. If your commuter pass was expired, reduction is possible as long as the pass is not expired by more than 24 hours and is immediately renewed following issue of a fare evasion ticket and documentation is sent to us. A complaint form is available on <https://dinoffentligetransport.dk/tourist/help/>

Læs venligst vigtige oplysninger på bagsiden. Betalings- og ankefrist 14 dage.
Please read the important information on the back of this ticket.
Payment or a written complaint is due within 14 days.

For yderligere information, se bagsiden.
For further information see the back

Important information about your continued journey
The payment slip for this fare evasion ticket is valid as a single fare ticket for your continued journey. The fare evasion ticket is only valid for one continued journey with the Metro, to the station mentioned as your destination when the fare evasion ticket was issued. If the fare evasion ticket is issued to a child (under the age of 16), it is valid as a ticket for buses, trains and Metro in zones 1 through 99.

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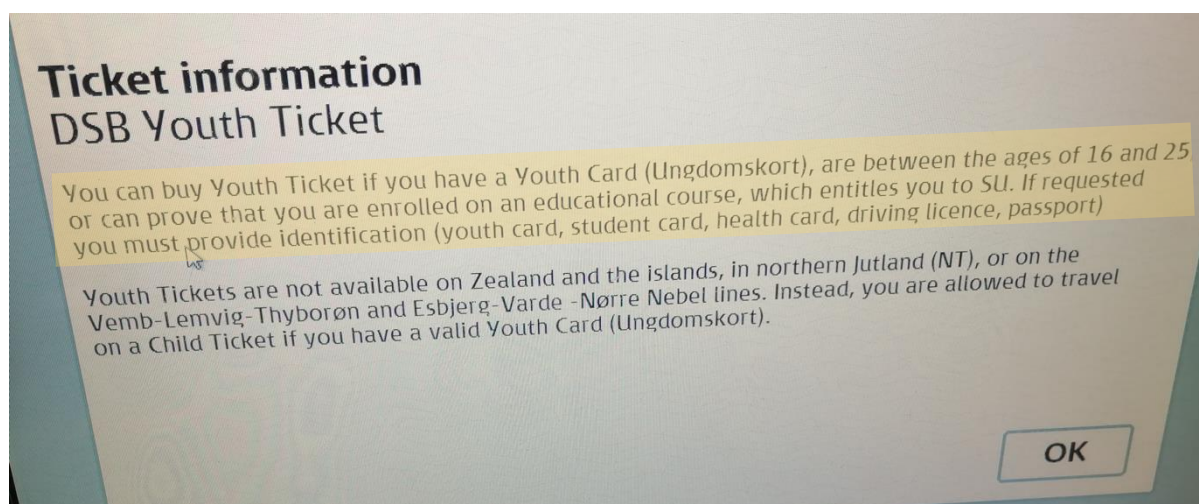
Contact information:
Metro Kundeservice
Metrovej 3, 2300 København S
Phone number +4570151615
Opening hours: 10 AM through 2 PM

Based on the above we find the fare evasion ticket of 750 DKK correctly issued and maintained, and this together with the reminder fee of 100 DKK gives an outstanding of 850 DKK.

Hertil har klageren bemærket:

" Many thanks for the swift response and for forwarding me the comments made by the metro company. Below I have outlined a few responses to their comments;

1. In the paragraph stating who is eligible to purchase a youth ticket, it states "if you have a youth card, are between the ages of 16 and 25 **OR** can prove that you are enrolled on an educational course which entitles you to SU" (pictured below). The metro ticket machine did not define what a youth card is and how this differs from a student card. Since both of these cards meet the criteria for one to purchase a youth ticket the logical thought process is that these are interchangeable, and therefore it could just as well state that one can travel child ticket if one has a student card.
2. I kindly thank the metro station for now clarifying what a youth card is and who is eligible to carry one, how-



ever this information was not presented on the machine at the time of ticket purchase. The failing of the metro ticket machine to provide information about the youth card scheme, including what a youth card is and how to purchase one led to further ambiguity over the difference between a youth card and a student card. This lack of information led me to believe the youth card is not purchasable and therefore the Danish equivalent of a student card that I had in my possession.

3. I strongly believed I had followed the guidance correctly given the information available and there was no doubt in my mind at the time that I was travelling on a ticket I was eligible to travel on. Had I been in doubt I could have sought further clarification from the help desk, but as highlighted, the lack of information and ambiguity led one to draw a logical conclusion that a student card is equivalent to a youth card.
4. The metro company stated in their response "We are aware that some museums and attractions gives a discount for students when showing their student card, but this is not a common practice for all museums and attractions [in] Copenhagen, and certainly not when using public transportation." Every museum we entered throughout our four-day trip did and although they stated that "certainly not on public transport" the machine notice clearly states that student card holders are entitled to purchase a youth ticket. I therefore find this comment incorrect.
5. The ticket attendant definitely did laugh at my partner and I, and there was no friendly gesture extended by her. I believe the attendant may have been wearing a webcam, and if there is any footage of this encounter, I

would be very happy for the metro company to share it to prove this and witness our reaction to her attitude.”

Hertil har indklagede bemærket:

” We have read the complainants’ latest comments and we understand that it was certainly not the complainants’ intention to travel with a wrong /without a valid ticket.

But the requirement for a valid ticket applies to everyone; whether child or adult, student or senior citizen, resident or tourist. The actual amount for a fare evasion ticket for an adult amounts to DKK 750. The amount is settled in collaboration between the carriers and the relevant authorities and is not graduated in relation to the reason for the missing valid ticket.

It is stated on the ticket vending machine (which by the way is not one of ours but a DSB-machine at the Central Station) that a DSB Youth Ticket cannot be bought and use when traveling on Zealand and the islands, in northern Jutland (NT), or on the Vemb—Lemvig-Thyborøn and Esbjerg-Varde-Nørre Nebel lines. **Instead you are allowed to travel on a Child Ticket if you have a valid Youth Card (Ungdomskort).**

A student card and a Ungdomskort is 2 different cards – a student card (studiekort) is a card telling that you study at a specific institution/school/line and a Ungdomskort (Youth Card) is – as earlier mentioned – a special travel pass which can be bought to travel between home and study when students are enrolled to an approved education in Denmark.

The complainant bought his ticket at the Central Station – where guides and information are available – the complainant could have chosen to ask for help instead of drawing his own conclusion..

As the complainant has not shown us, that he had a Youth Card (Ungdomskort), and we do not find that he had the prerequisite to ride on a Child Ticket, and we therefore find the fare evasion ticket correctly issued and maintained. The fact that the complaint concludes otherwise when he buys this ticket do not change this fact.”

På ankenævnets vegne



Tine Vuust
Nævnensformand