

Supplementary Accreditation

(further accreditation as a taxi-cab operator
or taxi-cab network service provider)

August 2015

This page is left intentionally blank

Supplementary Accreditation

Instructions to applicants

1. This form should be completed by applicants who:
 - are already an accredited Taxi-cab Operator, and are applying for a accreditation as a Taxi-cab Network Service Provider, or
 - are already an accredited Taxi-cab Network Service Provider, and are applying for a Permit accreditation as a Taxi-cab Operator, or
 - are applying accreditation as a Taxi-cab Operator and accreditation as a Taxi-cab Network Service Provider. These applicants are required to complete this Supplementary Accreditation Application and submit it together with a completed 'Application for accreditation as a taxi-cab operator'.
2. The applicant for a Supplementary accreditation may be any of the following:
 - an individual
 - a partnership (meaning two or more people acting under a legal partnership agreement)
 - a company
 - a co-operative
 - an incorporated association
 - a body corporate (other than a company, co-operative or incorporated association)

Note: An unincorporated body or association (other than a partnership) can hold a accreditation as a Taxi-cab Network Service Provider. If you are an unincorporated body or association and wish to apply for accreditation as a Taxi-cab Network Service Provider, please complete and submit the 'Application for accreditation as a Taxi-cab Network Service Provider'.

3. Complete the required parts of the form in BLOCK LETTERS and sign and date in the spaces indicated.
4. Under the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.) ('the Act'), a decision must be made about your application within 30 days of receiving the application.
5. Providing false or misleading information in this form is an offence under the Act.
6. If approved to hold accreditation, information (including information provided in this application) will be published on a 'register of taxi industry participants', specifically:
 - the Taxi-cab Operator's/Taxi-cab Network Service Provider's name;
 - the Taxi-cab Operator's/Taxi-cab Network Service Provider's business contact details including a telephone number, facsimile number, postal address, email address and internet address;
 - details of any taxi-cab network service provided by the Taxi-cab Operator/Taxi-cab Network Service Provider;
 - the number of taxi-cabs operated under licences held by, or assigned to, the Taxi-cab Operator.

Be aware that these details will be publicly available. If your personal and business details are the same, you may wish to consider establishing separate business details before submitting this application form.

Please return this signed application to the Taxi Services Commission (TSC).

In-person

Taxi Services Commission
Lower Ground Floor, 1 Spring Street
Melbourne VIC 3000
Hours: Monday to Friday 9.30am to 4.00pm

Mail

Taxi Services Commission
GPO Box 1716
Melbourne VIC 3001

Section A: Supplementary Accreditation Application

Name of applicant – existing Taxi-cab Operators/Taxi-cab Network Service Providers must provide the name displayed on your accreditation certificate

Taxi-cab Operator/Taxi-cab Network Service Provider Accreditation Number (if applicable)

--

Select one of the following:

- I am/we are already an accredited Taxi-cab Operator, and are applying to be a Taxi-cab Network Service Provider – complete **Section B** and **C**
- I /we are already a Taxi-cab Network Service Provider, and are applying for accreditation as a Taxi-cab Operator – complete **Section C**, do not complete **Section B**
- I am/we are applying for accreditation as a Taxi-Cab Operator and accreditation as a Taxi-cab Network Service Provider, and intend to submit this Supplementary Accreditation Application together with a completed 'Application for accreditation as a taxi-cab operator' – complete **Section B** and **C**

Section B: Applying to be a Taxi-cab Network Service Provider

Please identify the taxi-cab network services you intend to provide.

Note: this information will not affect the assessment or approval of the application.



Note: Information provided in relation to taxi-cab network services will be published on a Public Register (register of taxi industry participants).

Please identify the taxi zones where you intend to provide taxi-cab network services:

- the Melbourne metropolitan zone
- the urban and large regional zone
- the regional zone
- the country zone

Select one or more:

- the receipt and dispatch of bookings or orders for the hiring of taxi-cabs
- a central communications system for taxi-cabs
- a global positioning system for taxi-cabs
- the maintenance of information management systems for the hiring, and bookings and orders for the hiring, of taxi-cabs
- brand identification for taxi-cabs
- support services for taxi-cab owners and drivers – refer to the definition of ‘Support Services’ on page 8
- the maintenance of a system for receiving and handling customer complaints in relation to the hiring, and booking and orders for the hiring, of taxi-cabs
- taxi-cab driver training
- emergency alert and/or emergency response services for taxi-cabs

Section C: Declaration

All relevant persons must sign this declaration. Refer to the definition of 'Relevant Person' on page 8.

The relevant persons included in this form must be consistent with the relevant persons which the applicant has previously represented to the TSC as being the applicant's relevant persons. Any and all changes to relevant persons must be approved by the TSC.

I/we, the undersigned, being (for individual applicants) the applicant or (for non-individual applicants) the applicant's signatories:

- declare that all answers to the questions in this form are, to the best of my/our knowledge, true and correct.
- have read and understood the TSC Privacy Statement set out on the back page and I/we hereby consent to the TSC collecting, storing and retaining all information deemed relevant to this application (including personal and sensitive information) obtained from me/the applicant, any relevant persons in relation to the application, Victoria Police, VicRoads, the Department of Justice, the Sheriff's Office, any other government department or agency, any interstate or federal court or interstate law enforcement agency, or other persons, and using, or disclosing that information to third parties, for the purposes of the Act or as otherwise authorised by law. Information deemed relevant to this application may include certified court extracts, the Law Enforcement Assistance Program (LEAP) narrative relating to an offence and/or the summary of offences obtained from the police brief of evidence.
- consent to information (including provided in this application) being published on a 'register of taxi industry participants', specifically:
 - the applicant's name;
 - the applicant's business contact details including a telephone number, facsimile number, postal address, email address and internet address;
 - details of any taxi-cab network service provided by the applicant; and
 - the number of taxi-cabs operated under licences held by, or assigned to, the applicant.
- consent to the ongoing checking by the TSC of criminal or other records kept by Victoria Police, VicRoads, the Department of Justice, the Sheriff's Office, any other government department or agency, any interstate or federal court or interstate law enforcement agency, and to the release of information recorded against my name, including any matters, whether convicted or not, which may be deemed to be relevant to me holding accreditation as a taxi-cab operator and/or network service provider. Any matters that may be deemed to be relevant to me holding accreditation as a taxi-cab operator and/or network service provider may include certified court extracts, the Law Enforcement Assistance Program (LEAP) narrative relating to an offence and/or the summary of offences obtained from the police brief of evidence.
- will indemnify and keep indemnified the Chief Commissioner of Police and all employees of Victoria Police for all liability and against all actions, suits, claims, demands, costs and expenses whatsoever that may be taken or made in respect of the release of any details of convictions or other information relating to or involving me.
- have listed details of any charges pending against me for any criminal offence, either in Victoria or elsewhere.

1. Relevant Person

Capacity *

Signature

Date

2. Relevant Person

Capacity *

Signature

Date

* Capacity in which person is a Relevant Person and his or her position in the company activities. Refer to Definitions of 'Relevant Person' and 'Officer' on page 8.

WARNING: Providing false or misleading information when completing this form is an offence under the Act.

3. Relevant Person

Capacity *

Signature

Date

4. Relevant Person

Capacity *

Signature

Date

* Capacity in which person is a Relevant Person and his or her position in the company activities. Refer to Definitions of 'Relevant Person' and 'Officer' on page 8.

Attach a separate sheet with further names and signatures if necessary.

WARNING: Providing false or misleading information when completing this form is an offence under the Act.

Supplementary Accreditation

Definitions

Officer

In relation to a **company**, 'officer' means any of the following:

- a director
- a secretary
- a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the company
- a person who has the capacity to affect significantly the company's financial standing
- a person in accordance with whose instructions or wishes the directors of the company are accustomed to act (excluding advice given by the person in the proper performance of functions attaching to the person's professional capacity or their business relationship with the directors of the company).

In relation to a **co-operative**, 'officer' means any of the following:

- a director
- a secretary
- a person who is concerned, or takes part, in the management of the co-operative, whether or not as a director.

In relation to an **incorporated association**, 'officer' means any of the following:

- the secretary (within the meaning of the *Associations Incorporation Reform Act 2012 (Vic)*) of the incorporated association
- a member of the committee (within the meaning of the *Associations Incorporation Reform Act 2012 (Vic)*) of the incorporated association
- a person who is concerned, or takes part, in the management of the incorporated association.

In relation to an **a body corporate (other than a company, co-operative or incorporated association)**, 'officer' means a member of the committee of management of the body corporate.

Taxi-cab Operator Accreditation means an accreditation as a taxi-cab operator under Part VI, Division 4 of the *Transport (Compliance and Miscellaneous) Act 1983*.

Taxi-cab Operator means the holder of an accreditation as a taxi-cab operator under Part VI, Division 4 of the *Transport (Compliance and Miscellaneous) Act 1983*.

Relevant person

In relation to an application by an **individual**, a relevant person is any person who is concerned, or takes part in, the management of the activities to which the application or the accreditation relates, whether as an employee of the applicant or accredited person or otherwise.

In relation to an application by a **partnership**, a relevant person is (1) each partner; and (2) any other person who is concerned, or takes part, in the management of the activities to which the application or the accreditation relates, whether as an employee of the applicant or accredited person or otherwise.

In relation to an application by a **company**, a **co-operative** or an **incorporated association**, a relevant person is each officer of the company, co-operative or incorporated association. Refer to the definition of 'Officer'.

In relation to an application by a **body corporate** (other than a company, co-operative or incorporated association), a relevant person is (1) each officer of the body; and (2) any other person who is concerned, or takes part, in the management of the activities to which the application or the accreditation relates, whether as an employee of the applicant or accredited person or otherwise. Refer to the definition of 'Officer'.

Support services are services confined to or arising from the delivery of taxi-cab services (for example counselling services).

Taxi-cab Network Service Provider Accreditation means an accreditation as a provider of taxi-cab network services under Part IV, Division 4 of the *Transport (Compliance and Miscellaneous Act) 1983*.

Taxi-cab Network Service Provider means the holder of an accreditation as a provider of taxi-cab network services under Part VI, Division 4 of the *Transport (Compliance and Miscellaneous) Act 1983*.

This page is left intentionally blank

This page is left intentionally blank

Taxi Services Commission Privacy Policy

1. Introduction

This policy sets out the manner in which the Taxi Services Commission (TSC) will collect, use, hold, disclose and dispose of personal information and health information. This policy may be varied from time to time.

2. Definitions of personal, sensitive and health information

The TSC will collect, hold and disclose personal information and health information in accordance with the Information Privacy Principles (IPPs) set out in the *Privacy and Data Protection Act 2014* (Vic) (PDP Act) and the Health Privacy Principles (HPPs) set out in the *Health Records Act 2001* (Vic) (HRA).

2.1 Definition of personal information

Under the PDP Act, 'Personal Information' means any information or opinion (including information or an opinion forming part of a database), that is recorded in any form about an individual whose identity is apparent or can easily be ascertained from the information or opinion, but does not include information to which the HRA applies.

2.2 Definition of sensitive information

Under the PDP Act, there is a subset of personal information called 'Sensitive Information' which includes information about your race, ethnicity, political opinions or memberships, religious beliefs or affiliations, philosophical beliefs, memberships of professional/trade unions or associations, sexual preferences or practices or criminal record.

The PDP Act applies stricter provisions on how sensitive information is used. Where the TSC collects Sensitive Information about you, it will ensure that it complies with these provisions.

For the purposes of this policy, a reference to Personal Information will include Sensitive Information.

2.3 Definition of health information

Under the HRA, 'Health Information' means information or an opinion about an individual's physical, mental or psychological health, a disability, an individual's expressed wishes about the future provision of health services or a health service provided which can be linked to a living or deceased individual.

3. Collection of Personal and Health Information

The TSC only collects Personal Information or Health Information from an individual that is necessary for its functions or activities, the activities of managing or administering that function or activity, or as required by law in regard to its statutory obligations.

The TSC will take reasonable steps to collect information directly from the individual. The TSC may collect information via written or electronic correspondence including telephone, email, fax and/or social media such as Facebook and Twitter. Information may also be collected in person.

The TSC may collect Personal Information or Health Information from you when you:

- apply for accreditation as a driver, permit holder (operator), or Taxi Booking Service (Network Service Provider);
- apply for a job with the TSC;
- request to be placed on the TSC's mailing list;
- make an inquiry or give comment about the TSC's functions and services; or
- lodge a request for access to documents under the *Freedom of Information Act 1982* (Vic.) (FOI Act).

The types of Personal Information the TSC may request from you include your name, date of birth, contact details, qualifications and employment history and the types of Health Information that the TSC may collect from you, include information relating to your physical or mental health or any disability you may have.

3.1 Types of specific Personal Information the TSC may collect

3.1.1 Supplying commercial passenger vehicle services, commercial or local bus services or driving instructor services

If you are involved in the supply of commercial passenger vehicle services (including services relating to taxi-cabs, hire cars, restricted hire cars and special purpose vehicles), commercial or local bus services, or driving instructor services, we may collect or use your Personal Information or Health Information where required.

3.1.2 Security cameras in taxi-cabs

If you have been a passenger in, or drive a taxi-cab, you may have been photographed and/or filmed by a security camera installed in the taxi-cab. If you were, those photographs and/or film may contain your Personal Information. We may collect or use that Personal Information, or disclose it to a law enforcement agency if necessary to determine, or help a law enforcement agency determine:

- whether a crime has been committed by or against you; and/or
- your identity, if a law enforcement agency suspects that a crime has been committed by or against you.

3.1.3 Multi Purpose Taxi Program members

If you apply to become a member of the Multi Purpose Taxi Program, we may collect or use your Personal Information or Health information, or disclose it to another governmental agency, medical practitioner or independent health panel where this is required to assess your eligibility under the membership program or application process.

3.2 Collection statement/notice

Where the TSC collects Personal Information from you, it will take reasonable steps to ensure that you are given a collection statement that sets out the purpose for collecting that information, how that information will be used and the consequences, if any, for not providing the information. Wherever it is lawful and practical, the TSC will provide you with the option of not identifying yourself.

4. Use and disclosure of Personal Information or Health information

The TSC will only use or disclose Personal Information or Health Information as set out in this Privacy Policy or for the purpose which was either specified or reasonably apparent at the time of collection unless you have consented to, or would reasonably expect, another related use.

4.1 Disclosure required by law

In certain circumstances, the TSC may be required by law to provide Personal Information or Health Information to another organisation. Examples include warrants, court orders or demands to provide documents permitted under legislation. Examples of organisations with these powers include ASIO, ASIS and Centrelink.

Under Division 6A of Part VI of the *Transport (Compliance and Miscellaneous) Act 1983*, the TSC is required to keep a register of taxi industry participants (Register) and to make the Register publicly available, including on its website. The Register must include the name of each person who holds:

- accreditation as a taxi-cab operator;
- accreditation as a provider of taxi-cab network services;
- accreditation to drive a commercial passenger vehicle;
- a hire car licence; or
- a special purpose vehicle licence, and any other information prescribed by regulations.

The TSC may also include on the Register for each person whose name is on the Register:

- business contact details including a telephone number, facsimile number, postal address, email address and internet address;
- details of any taxi-cab network service provided by the person; and
- the number of taxi-cabs operated by the person.

Information about a person whose name is on the Register will only be included with the person's consent or after the person has been given 28 days' notice of the information that will be published (this notice is given on all TSC application forms). A person may apply to the TSC to restrict public access to information that is included on the Register. The TSC will only approve such an application if satisfied that there are exceptional circumstances that justify the restriction.

4.2 Disclosure authorised by law

In certain situations, the TSC is authorised to disclose Personal Information or Health Information to related transport and government agencies. Examples include booking services/associations, bus depots/associations, driving instructor associations, Melbourne Airport and relevant state and federal government agencies including Victoria Police and VicRoads.

We may do so if necessary to investigate or report on:

- whether you are, were or will be suitable to be involved in the supply of commercial passenger vehicle services (including services relating to taxi-cabs, hire cars, restricted hire cars and special purpose vehicles), commercial or local bus services or driving instructor services; or
- whether you have broken the law in the course of your involvement in the supply of commercial passenger vehicle services (including services relating to taxi-cabs, hire cars, restricted hire cars and special purpose vehicles), commercial or local bus services or driving instructor services.

Personal Information may be shared with related government agencies via phone, email, post, fax or a shared database. Personal Information shared may include names, drivers licence numbers, credit card details and police records.

4.3 Disclosure to third party contractors

From time to time the TSC may contract out some of its functions and services, for example IT and market research. In these situations your Personal Information or Health Information may be shared with third parties. Where the TSC engages third party providers, it will ensure that these parties have suitable data protection programs and privacy policies in place.

4.4 Disclosure outside Victoria

The TSC will only transfer your Personal Information or Health Information to another individual or organisation outside Victoria in limited circumstances, including when the recipient is subject to a law which upholds similar principles to the IPPs or HPPs, or you consent to the transfer. Specific disclosures will be made with consent or otherwise in accordance with the use and disclosure standards of the PDP Act and the HRA.

5. Data security and destruction

Irrespective of whether your Personal Information or Health Information is stored electronically or in hard copy form, the TSC will take reasonable steps to protect it from misuse and loss, and from unauthorised access, modification or disclosure.

The TSC will also take reasonable steps to destroy or permanently de-identify your Personal Information or Health Information if it is no longer required for the TSC to perform its regulatory functions.

6. Data quality, access and correction

The TSC will take reasonable steps to ensure that any Personal Information and Health Information it holds is accurate, complete and up to date. You are entitled to contact the TSC Privacy Officer (contact details are set out below) and request access to and correction of any of your Personal Information or Health Information held by the TSC. Under Section 169ZC of the *Transport (Compliance and Miscellaneous) Act 1983*, the TSC may, if it decides that it is necessary to do so, correct any error or omission in the Register or the public version of the Register (refer to section 4.1).

6.1 Freedom of Information requests

Access to some information that the TSC holds may require a formal request under section 17 of the *Freedom of Information Act 1982* (Vic). Your FOI application and any queries should be made to:

TSC Freedom of Information Officer

Taxi Services Commission, Lower Ground Floor, 1 Spring Street, Melbourne, VIC 3000

Telephone: 1800 638 802 Facsimile: 03 8683 0777 Email: FOI@taxi.vic.gov.au

7. Unique identifiers

A unique identifier is a code consisting of letters or numbers (not the individual's name) that is assigned to an individual to distinguish them from other individuals, for example a driver's licence number or tax file number.

The TSC will not:

- assign, use or disclose unique identifiers to individuals unless it is necessary to do so to carry out one of its organisational functions efficiently;
- adopt, use or disclose a unique identifier assigned to you by another organisation except in limited circumstances; or
- require you to provide a unique identifier in order to obtain a service, unless it is required or authorised by law or connected to the purpose for which the unique identifier was assigned.

The TSC generally assigns a unique identifier if you are, have been or seek to become:

- involved in the supply of commercial passenger vehicle services; or
- a member of the Multi Purpose Taxi Program.

8. Privacy complaints

If you believe that your Personal Information or Health Information has been used by TSC in a manner contrary to the PDP Act or HRA, you may contact the TSC Privacy Officer (on the details below) or lodge a complaint with the Commissioner for Privacy and Data Protection at: www.dataprotection.vic.gov.au.

Information for submitting complaints to the Health Services Commission in respect of your Health Information is available at: www.health.vic.gov.au/hsc

9. Further information and contact details

Further information about the TSC's Privacy Policy is available at the TSC website, or can be requested by contacting the TSC Privacy Officer. All requests and communications may be made to the TSC Privacy Officer at:

The TSC Privacy Officer

Legal & Regulatory Services, Taxi Services Commission, GPO Box 1716, Melbourne VIC 3001

Telephone: 1800 638 802 (toll-free) Email: privacy@taxi.vic.gov.au

