

Application for transfer of a commercial passenger vehicle licence – country hire car licence

Application for an Authority to Transfer a Country Hire Car Licence

Country hire car licence zone

The proposed operational area and operator's business premises for all applicants must be located outside the metropolitan hire car licence zone.

Applications for metropolitan hire car licences can be obtained from the Accreditation and Licensing branch of the Taxi Services Commission (TSC).



The Greater Melbourne region is defined as that area bounded by a notional line drawn from the coastline at the mouth of the Werribee River via a direct line to Cherry Tree Creek and its intersection with the Princes Highway, a direct line to the intersection of Bulban and Ball Roads, a direct line to the intersection of Shanahans and Sayers Roads, Shanahans, Boundary and Robinsons Roads, Western Highway, Clarke Road, Monaghans Road, a straight line from the intersection of Monaghans Road and Taylors Road to the intersection of Holden Road and Calder Highway, a straight line to the intersection of Bulla Road and Quartz Street, Bulla, Somerton, Oaklands, Konagadera, Mt Ridley, Summerhill, Epping, Bridge Inn and Doctors Gully Roads, Bannans Lane North, Hurstbridge-Arthurs Creek, Heidelberg-Kinglake, Cherry Tree, Kangaroo Ground-St Andrews, Eltham-Yarra Glen and Kangaroo Ground-Warrandyte Roads, Pigeon Bank Lane, Pigeon Bank Gully Creek, Yarra River in a northeasterly direction, Victoria Road, Macintyre Lane, Melba Highway, St Huberts Road, Maroondah Highway, Boundary, Killara, Gruyere, and Victoria Roads, Sebire Avenue, Warburton Highway, Beenak, Wandin East, Queens, Monbulk, Stonyford, Olinda Creek, Barbers, Doughtys, Falls, The Georgian, Olinda-Monbulk, Main, Emerald-Monbulk, Moxhams, Priors, Kallista-Emerald, William, Grantulla, Belgrave-Gembrook, Wellington, Cardinia Creek and Duffys Roads, the Cardinia Reservoir Park boundary, Red Hill, Lewis, Beaconsfield-Emerald, Split Rock, Salisbury, Officer, Brown and Starling Roads, Princes Highway, Station Street, Officer South Road to the intersection of Leckey Road, a straight line to the intersection of Soldiers and Thompsons Roads, Thompsons, Berwick-Cranbourne, Clyde-Five Ways Roads, South Gippsland Hwy, Browns Road, Western Port Highway, McKays, Centre, Cranbourne-Frankston, Warrandyte, Baxter-Tooradin, and Sages Roads, Moorooduc Highway, Wooralla Drive, Tower Road, Gunyong Creek to the coastline and the coastline to the mouth of the Werribee river.

Application for an Authority to Transfer a Country Hire Car Licence

Commercial passenger vehicle licences are issued under Division 5 of the *Transport (Compliance and Miscellaneous) Act 1983 (Vic.)*.

Before making an application to transfer a country hire car Licence, applicants should ensure they are familiar with the conditions of operation that apply to the specific type of country hire car licence being applied for as well as the vehicle age requirements for country hire cars. Please refer to the country hire car information sheet.

All required documents, including the application fee, must be attached and all details on this form must be completed for your application to be considered.

Transport (Compliance and Miscellaneous) Act 1983 (Vic.)

Extract – Section 142. Hire car licences

- (1) The licensing authority must not grant an application for a hire car licence or a special purpose vehicle licence unless the licensing authority is satisfied that the applicant is a fit and proper person to hold a licence and:
 - (a) either:
 - (i) the granting of the licence is consistent with any determination of policy made by the Minister under section 89; or
 - (ii) the Minister has approved the granting of the licence even though to do so would be inconsistent with a determination of policy made by him or her under section 89; and
 - (b) in the case of an application for a hire car licence in respect of a hire car that is to be operated from a place in a specified area:
 - (i) the licensing authority has had regard to the interests of the people who either require, or provide, taxi-cab services or hire car services in any particular district or districts within which the service is proposed to be provided that is, or that are, in the specified area; and
 - (ii) the licensing authority has had regards to whether or not the granting of the application would be likely to adversely affect the viability of the provision of existing taxi-cab or hire car services in that district or those districts.

DETERMINATION OF APPLICATIONS

The TSC requires information about the level of service to be provided by an applicant and the level of service that is currently being provided within the proposed operating area by existing taxis and any other commercial passenger vehicles.

On receipt of an application, comment may be invited from potential interested parties such as taxi operators and other commercial passenger vehicle licence holders in the proposed area. Should any interest be expressed in relation to the application, copies of responses will be provided to the applicant for comment.

The provisions of section 142 of the *Transport (Compliance and Miscellaneous) Act 1983 (Vic.)* must be taken into consideration when the TSC determines an application.

APPLICATION REQUIREMENTS

1. A completed 'Application for transfer of a commercial passenger vehicle licence – country hire car' form:
 - individual applicants to complete section A and B
 - non-individual applicants to complete section A and C.

Note: If the applicant is a company, a current (not more than three months old) Australian Securities and Investments Commission (ASIC) certificate or extract listing all directors must be provided.
2. The applicant(s), including all directors if the applicant is a company must complete a relevant person form, and a police check consent form, certified proof of identity documents as outlined in the police check consent form. A police check consent form is required for all applicants to enable the TSC to request a criminal check on their behalf effective 1 July 2015.
3. A transfer agreement must be provided (copy is sufficient). The agreement must:
 - (a) state the purchase price of the licence and (if a vehicle is to be purchased) separately state the vehicle purchase price
 - (b) be signed by the parties
 - (c) show that the name(s) of the seller(s) is/are identical to the name(s) on the licence
 - (d) show the date of agreement.
4. An application fee (contact the TSC for the current fee – a separate application form is required for each licence applied for).

The application can be submitted in person at the TSC office at Level 23, 80 Collins Street, Melbourne or by mailing to: Taxi Services Commission, Accreditation and Licensing, GPO Box 1716 Melbourne, Victoria 3001.

For further information, please contact the TSC Accreditation and Licensing branch on 1800 638 802 (toll-free).
5. Certified copies of proof of identity must be submitted for the responsible person of the transferor. Refer to the separate TSC 'Proof of identity' document for information about what evidence is required, and how this should be provided to the TSC.

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
A

To be completed by transferor

Country hire car licence number

Current registration plate number

Current operational address

Address

<input type="text"/>				
<input type="text"/>				
Postcode				
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Details of applicant (transferor)

Individual applicants:

Surname/family name	First name/given name
<input type="text"/>	<input type="text"/>

Non-individual applicants:

Name of company, partnership or other entity

Responsible person

Proof of identity (for the responsible person)

Refer to the separate TSC 'Proof of identity' document for information about what evidence is required, and how this should be provided to the TSC.

Proof of identity: details of primary evidence

(Describe the primary evidence including the document number.)

Proof of identity: details of secondary evidence

(Describe the secondary evidence including the document number.)

Proof of identity: details of evidence of residence

(If your current residential address is not shown on the primary or secondary evidence of identity which you have described above, provide evidence of your current residential address.)

Proof of identity: evidence of change of name

(If different names appear on the primary and the secondary evidence of identity which you have described above, provide evidence of your change of name.)

Address

<input type="text"/>				
<input type="text"/>				
Postcode				
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Postal address (if different from above)

<input type="text"/>				
Postcode				
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Telephone number

Home/business	Mobile
<input type="text"/>	<input type="text"/>

Fax

Fax	Email
<input type="text"/>	<input type="text"/>

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
A

DECLARATION

I/We, the undersigned, being the transferor, declare that all answers to the questions in this form are, to the best of my/our knowledge, true and correct.

I/We have read and understood the Privacy Statement set out on the back page and I/we hereby consent to the TSC collecting, storing and retaining all information (including personal and sensitive information) obtained from me/the transferor, 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, or other persons, and using, or disclosing that information to third parties, or the contact person for this application, for the purposes of the *Transport (Compliance and Miscellaneous) Act 1983 (Vic.)* or as otherwise authorised by law.

WARNING: It is an offence under the *Transport (Compliance and Miscellaneous) Act 1983 (Vic.)* to provide false or misleading information in this form.

Applicant signatory or signatories

1. Name of signatory

Role of signatory

Signature

Date

/ /

2. Name of signatory

Role of signatory

Signature

Date

/ /

3. Name of signatory

Role of signatory

Signature

Date

/ /

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

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
A

Transferee to complete this section

Section A – general information

Details of proposed vehicle (Should not be purchased until you have been granted the licence)

Current registration number	Make	Model	Type of body	Date of compliance plate MM/YYYY (when built)	Adult seating capacity (excluding driver)

Engine no. (if known)		Vehicle Identification Number. (VIN) (if known)	
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1. Does the vehicle meet the age and type requirements specified for country hire cars?
(See hire car age and type requirement schedule at www.taxi.vic.gov.au)

Yes No

2. Is the vehicle registered in the name of the individual or company who will be the licence holder?

Yes No

Other licences/accreditations

1. Is the applicant currently the holder and operator (or has the applicant previously been the holder and operator) of any other commercial passenger vehicle licences (including taxi-cabs)?

Yes No

If 'yes', what is/was the licence number(s)?

2. Is the applicant currently accredited (or has the applicant previously been accredited) in the taxi-cab industry?

Yes No

If 'yes', what is/was the accreditation number(s)?

3. Is the applicant currently the holder (or has the applicant previously been the holder) of a driver accreditation?

Yes No

If 'yes', what is/was the driver accreditation number(s)?

Disqualification

Is the applicant currently, or has the applicant ever been, refused a commercial passenger vehicle licence, taxi-cab industry accreditation or driver accreditation?

Yes No

If 'yes', please provide details

OFFICE USE ONLY

I have checked the disqualification checklist. Yes No Name Date / /

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**SECTION
A**

Is the proposed operational address in the same country town that the licence currently operates from?

Yes No

If yes, go to next page. If no complete this page.

Please describe the proposed area of operation.

What other transport service(s) including (taxis and hire cars) are available in or close to the above area?

What do you expect will be the effect of your service on those other transport services?

How will approval of this licence improve service, reduce travelling time and/or improve convenience for the local community?

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SECTION
B

Section B – if applying as an individual

Applicant name	<input type="text"/>							
Address	<input type="text"/>							
	<input type="text"/>			Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Telephone number	Business		Mobile					

Will the proposed service be operated from the address above (operational address must be located in the proposed area of operation)?

Yes No

If no, state operating address.

<input type="text"/>							
<input type="text"/>			Postcode	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

How do you propose to operate the service from this address?

You may wish to add attached evidence such as a letter of tenure.

<input type="text"/>
<input type="text"/>

Relevant persons – if applying as an individual (please list all relevant persons and capacities below).

'Relevant person' means:

For an application by an individual – 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.

Note: Each relevant person, including the applicant, must complete a separate 'Relevant person' form, which must be attached to this application form.

Name	Capacity in which person is a relevant person and his or her involvement with applicant's activities
1.	
2.	
3.	
4.	

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
B

Section B – authority for information and declaration – if applying as an individual

I hereby 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 and any other government department or agency, and the release of information recorded against my name, including any matters which are relevant to me holding a commercial passenger vehicle licence.

I acknowledge that it is my responsibility to determine whether the above mentioned hire car licence is subject to any encumbrance (including any mortgage, charge, lien or trust) and to ensure that the hire car licence is free of any such encumbrance at time of settlement.

In the event that an encumbrance effecting the hire car licence is not discharged at the time of settlement, the TSC (including its officers, employees and agents) or any other governmental agency bears no responsibility for any loss, damage, claim or action that may be incurred as a result and I agree to indemnify at all times the TSC (including its officers, employees and agents) and any other governmental agency from and against any such loss, damage, claim or action that may be incurred.

I undertake that I will at all times hereafter well and sufficiently 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 which may be taken or made in respect of the release of any details of any convictions or any other information relating to or involving me.

I declare that all answers to the questions in this form are, to the best of my knowledge, true and correct.

I have read and understood the Privacy Statement set out on the back page and I hereby consent to the TSC collecting, storing and retaining all information (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, or other persons, and using, or disclosing that information to third parties, for the purposes of the Act or as otherwise authorised by law.

Name of signatory (applicant)

Signature

Role of signatory (see below)

Date

WARNING: It is an offence under the Act to provide false or misleading information on this form.

Who should sign this form?

The applicant's signatory or signatories to this form must be:

For an application by an individual – the individual. State 'applicant' as 'Role of signatory'.

If applying as an individual, you are not required to complete any other pages of this application form.

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
C

Section C – if applying as a non-individual

Details of applicant – if applying as a non-individual

NOTE: Each person associated with this application must complete a separate 'Relevant person' form, which must be attached to this application form.

Specify whether the applicant is:

a partnership

a company

a co-operative

an incorporated association

a body corporate (other than an company, co-operative or incorporated association)

Name of applicant (if the applicant is a partnership, list the names of all partners)

Trading as (if applicable)

Incorporated association registration number (if applicable)

Australian Business Number (ABN) (if applicable)

Australian Company Number (ACN) (if applicable)

Business address

Business telephone

Fax

Email

Will the proposed service be operated from the address above? (if no, state operating address)

Yes No

Postcode

If the applicant is a company, is it registered under the *Corporations Act 2001* (Cwlth)?

Yes No

Please attach a copy of the applicant's incorporation certificate (if applicable)

Is a copy of the applicant's incorporation certificate attached to this form?

Yes No

Is a copy of the applicant's 'certificate of registration of a company' attached to this form?

Yes No

If the applicant is a company, is a current (not more than three months old) Australian Securities and Investments Commission (ASIC) certificate or extract listing all directors attached to this form (compulsory)?

Yes No

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Section C – offence history – if applying as a non-individual – authority for information

Do not complete this section if the applicant is a partnership

Criminal offences

1. Has the applicant in Victoria or elsewhere, even been fined, convicted, or found guilty of any criminal offences whatsoever? Yes No
2. Has the applicant ever been charged with any criminal offence(s) where the charge(s) has or have not been determined? Yes No

If you answered 'yes' to either question 1 or 2 above, please provide details:

Year	Details of matters in question 1 or 2 above. For criminal offences, describe the offence, the details of any sentencing order made when the applicant was found guilty, and whether the applicant was convicted.	Court	Sentence imposed/penalty

Financial capacity – if applying as a company (non-individual)

1. Has a receiver or receiver and manager, within the meaning of the *Corporations Act 2001* (Cwlth), been appointed in relation to the applicant, either currently or at any time in the past? Yes No
2. Has the applicant been placed in administration under the *Corporations Act 2001* (Cwlth) or under the law of any place outside Australia, either currently or at any time in the past? Yes No
3. Has a court made an order, either current or past, under the *Corporations Act 2001* (Cwlth) for the winding up of the applicant? Yes No
4. Has the applicant ever been found guilty of an offence against section 209(3) or Part 5.8 of the *Corporations Act 2001* (Cwlth) or of an offence against a law of a place outside Australia that corresponds to that section or Part? (Note: if you answer 'yes', you must give details of the offences even if the details overlap with details previously given on this form.) Yes No
5. Are there any other matters affecting the applicant's financial capacity to meet the commercial passenger vehicle licence conditions? Yes No

If you answered 'yes' to any of the questions, please provide details including court details (if applicable), company name and ACN (if applicable), and date of court order (if applicable), and include relevant documentation with your application. Ensure that you indicate, when providing these details, to which question the details relate.

Details

Application for an Authority to Transfer a Country Hire Car Licence

Section C – relevant persons – if applying as a non-individual

Please list **all** relevant persons and capacities below.

‘Relevant person’ means:

For an application by a partnership – (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.

For an application by a company, a co-operative or an incorporated association – each officer of the company, co-operative or incorporated association.

Note: ‘Officer’, in relation to a **company**, 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).

‘Officer’, in relation to a **co-operative**, 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.

‘Officer’, in relation to an **incorporated association**, means any of the following:

- the public officer (within the meaning of the *Associations Incorporations Act 1981* (Cwlth) of the incorporated association
- a member of the committee (within the meaning of the *Associations Incorporations Act 1981* (Cwlth) of the incorporated association
- a person who is concerned, or takes part, in the management of the incorporated association.

For an application by a body corporate (other than a company, co-operative or incorporated association) – (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.

Note: ‘Officer’, in relation to a **body corporate (other than a company, co-operative or incorporated association)**, means a member of the committee of management of the body corporate.

Note: Each relevant person must complete a separate ‘Relevant person’ form, which must be attached to this application form.

Name	Capacity in which person is a relevant person and his or her involvement with the applicant’s activities
1.	
2.	
3.	
4.	
5.	

Section C – authority for information, declaration and nomination of responsible person – if applying as a non-individual

Who should sign the authority for information, declaration and nomination of responsible person page?

The applicant's signatory or signatories must be:

For an application by a partnership – (1) a partner or partners authorised by a written partnership agreement (if any) to sign (attach the relevant extract from the partnership agreement giving this authorisation); or (2) if there is not a written partnership agreement, all partners. State 'partner' as 'Role of signatory'.

For an application by a company (which is not a proprietary company that has a sole director) – two directors of the company, or a director and a secretary of the company. State 'director' or 'secretary' (as appropriate) as 'Role of signatory'.

For an application by a proprietary company that has a sole director – that sole director of the company. State 'director' as 'Role of signatory'.

For an application by a co-operative – two directors of the co-operative, or one director and one officer of the co-operative. State 'director' or 'officer' (as appropriate) as 'Role of signatory'.

For an application by an incorporated association – two members of the committee of management, or a person or persons otherwise authorised by the rules of association to sign (if the latter, attach the relevant extract from the rules giving this authorisation). State 'member of committee of management' or 'person authorised to sign by rules of association' (as appropriate) as 'Role of signatory'.

For an application by a body corporate (other than a company, co-operative or incorporated association) – appropriate signatories will depend on the nature of the body corporate. Consult a TSC officer to determine who should sign and in what role.

Nomination of responsible person

This nomination is for the contact person who the applicant authorises the TSC to communicate with in relation to the application. The responsible person must be one of the relevant persons listed on page 12.

Application for an Authority to Transfer a Country Hire Car Licence

SECTION
C

Section C – authority for information, declaration and nomination of responsible person – if applying as a non-individual

I hereby 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 and any other government department or agency, and the release of information recorded against my name, including any matters which are relevant to me holding a commercial passenger licence.

I have listed details of any charges pending, charges proven, findings of guilt or convictions against me for any criminal offence, either in Victoria or elsewhere.

I undertake that I will at all times hereafter well and sufficiently 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 which may be taken or made in respect of the release of any details of any convictions or any other information relating to or involving me.

I declare that all answers to the questions in this form are, to the best of my knowledge, true and correct.

I have read and understood the Privacy Statement set out on the back page and I hereby consent to the TSC collecting, storing and retaining all information (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, or other persons, and using, or disclosing that information to third parties, for the purposes of the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.) or as otherwise authorised by law.

We the undersigned also nominate the following individual to be the responsible person.

Responsible person

Surname/family name

First/given name

Role of signatory

Signature

Note: the responsible person must be one of the relevant persons listed on page 12. This nomination means that the TSC is entitled to communicate with the nominated person as the contact person in relation to the application.

Name of relevant person number 1

Date

Role of signatory

Signature

Name of relevant person number 2

Date

Role of signatory

Signature

Attach a separate sheet with further name, capacities, signatures and dates if necessary.

WARNING: It is an offence against the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.) to provide false or misleading information on this form.

Who should sign this form?

See page 13.

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 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 and health information in accordance with the Information Privacy Principles (IPPs) set out in the *Information Privacy Act 2000 (Vic.) (Privacy 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 Privacy 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 Privacy 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 Privacy 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 services to that individual, the activities of managing or administering that function or service, 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 or Health Information from you when you:

- apply for accreditation as a driver, operator or Network Service Provider;
- apply for a job with the TSC;
- request to be placed on the TSC's mailing list;
- make an inquiry 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 taxi, commercial passenger vehicle, private bus or driving instructor services

If you are involved in the supply of taxi, commercial passenger vehicle, private bus or driving instructor services, we may collect or use your Personal or Health information where required.

3.1.2 Security cameras in taxis

If you have been a passenger in, or drive a taxi, you may have been photographed by a security camera installed in the taxi. If you were, those photographs may contain your Personal Information. We may collect or use that 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 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 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 some 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.

4.2 Disclosure authorised by law

In some matters, the TSC is authorised to disclose Personal or Health Information to related transport and government agencies. Examples include taxi depots/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 taxi, commercial passenger vehicle, private bus or driving instructor services; or
- whether you have broken the law in the course of your involvement in the supply of taxi, commercial passenger vehicle, private bus or driving instructor services.

Information may be shared with related government agencies via phone, email, post, fax or a shared database. 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 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 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 Privacy Act and the HRA.

5. Data security and destruction

Irrespective of whether your Personal 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 or Health Information if it is no longer needed for any purpose, unless, in the case of Personal Information, it is subject to the *Public Records Act 1973*, in which case it will be disposed of in accordance with that Act.

6. Data quality, access and correction

The TSC will take reasonable steps to ensure that any Personal 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 or Health Information held by the TSC.

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, GPO Box 1716, Melbourne VIC 3001

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 taxi services; or
- a member of the Multi Purpose Taxi Program.

8. Privacy complaints

If you believe that your Personal or Health Information has been used by TSC in a manner contrary to the Privacy Act or HRA, you may contact the TSC Privacy Officer (on the details below) or lodge a complaint.

Information for submitting complaints in respect of your Health Information is available at: **Health Services Commissioner's website: 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 Services, Taxi Services Commission, GPO Box 1716, Melbourne VIC 3001

Telephone: 1800 638 802 (toll-free for country callers only)

Email: privacy@taxi.vic.gov.au

