

Relevant Person Form

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Note: Relevant Persons are to complete this form in support of applications for commercial passenger vehicle licences and/or taxi-cab industry accreditation.

Office use only

TSC officer must complete this section when processing this form.

Is the relevant person known to have ever contravened a provision of the *Transport (Compliance and Miscellaneous) Act 1983 (Vic.)*?

Yes No

Officer's name (print)

Officer's signature

Date

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'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.

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 an unincorporated body or association other than a partnership – (1) each member of the committee of management of the body or association; 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: An unincorporated body or association, other than a partnership, can only apply for accreditation as a taxi-cab Network Services Provider.)

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

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 Incorporation Act 1981) of the incorporated association
- a member of the committee (within the meaning of the Associations Incorporation Act 1981) 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.

Instruction to Relevant Persons

1. This form should be completed by persons who are **'Relevant Persons'** for the purposes of Divisions 4 and 5 of Part VI of the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.) in relation to applicants for:
 - taxi-cab industry accreditation
 - commercial passenger vehicle licences.
2. Complete the whole of this form in BLOCK LETTERS and sign and date in the spaces indicated.
3. Throughout this form, if you require more space to fully answer a question or to provide information requested in the form, please attach separate sheets with your full answer or with all of the information requested. If you do this, indicate on

the relevant part of the form that you are attaching separate sheets, and state on each of the separate sheets which part of the form the sheets relate to.

4. It is important that you provide all relevant information with this form.
5. WARNING: Any person who gives false or misleading information when completing this form shall be guilty of an offence against the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.).

Note: In this form, 'TSC' means the Taxi Services Commission

Section A: General

1. State the name of the applicant for whom you are applying as a Relevant Person.

2. Select (please tick) the application for which you are applying as a Relevant Person.

- Accreditation as a taxi-cab licence holder and/or
- Accreditation as a taxi-cab operator and/or
- Accreditation as a Network Service Provider
- Commercial passenger vehicle licence

3. Are you already a Relevant Person in relation to a commercial passenger vehicle licence or taxi-cab industry accreditation?

Yes No

If yes please provide the accreditation or licence number:

Section B: Details of Relevant Person

Title (please tick)

Mr Mrs Ms Miss

Surname/family name

First name/given name

Second name

3rd initial

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Previous or alternative names

(In this section, write all names by which you are or have formerly been known, including your maiden name. If you have more than one such name, attach a separate list.)

First name/given name

Surname/family name

Proof of identity: details of primary evidence

(Describe the primary evidence of your identity, including the document number (for example, if the primary evidence of your identity is your driver licence, include your driver licence number). Refer to the separate TSC 'Proof of identity' document for information about what primary evidence is required, and how this should be provided to the TSC.)

Proof of identity: details of secondary evidence

(Describe the secondary evidence of your identity, including the document number. Refer to the separate TSC 'Proof of identity' document for information about what secondary evidence is required, and how this should be provided to the TSC.)

Proof of identity: details of evidence of residence

(If your current residential address is shown on the primary or secondary evidence of identity which you have described above, leave this space blank. 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 the same name appears on both the primary and the secondary evidence of identity which you have described above, leave this space blank. 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. Evidence may include, for example, a deed poll or marriage certificate.)

Residential address

Business address – if different from above

Postal address – if different from above

Telephone – business

Telephone – private

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Telephone – mobile

Fax

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Email address

Date of birth

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Section C: Offence history – Relevant Person – Authority for information

Traffic offences

1. Have you in Victoria or elsewhere, ever been fined, convicted, or found guilty of any traffic offences?

Yes No

2. Has your driver licence ever been suspended or cancelled for any reason?

Yes No

3. Have you ever been notified that you have incurred demerit points for traffic offences?

Yes No

If so, state number of points incurred.

4. Have you ever received an infringement notice pursuant to the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.) or Regulations or the *Road Safety Act 1986* (Vic.) or Regulations?

Yes No

5. Have you been charged with any traffic offence(s) where the charge(s) has not yet been determined?

Yes No

If you answered 'yes' to any of questions 1 to 5 above, please provide details:

| Year | Details of traffic offences in questions 1 to 5 above | Court | Sentence imposed/penalty |
|------|---|-------|--------------------------|
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Criminal offences

1. Have you in Victoria or elsewhere, ever been fined, convicted, or found guilty of any criminal offences whatsoever?
Yes No
2. Have you ever been placed on a good behaviour bond, community based order, or on probation by a court of law?
Yes No
3. Have you ever been charged with any criminal offence(s) where the charge/s has not been determined?
Yes No
4. Are you subject to any reporting obligations under Part 3 of the *Sex Offenders Registration Act 2004* (Vic.) or an extended supervision order under Part 2 of the *Serious Sex Offenders Monitoring Act 2005* (Vic.)?
Yes No

| Year | Details of criminal offences/charges/reporting obligations/extended supervision orders in questions 5 to 8 above. For criminal offences, describe the offence, the details of any sentencing order made when you were found guilty, and whether you were convicted. | Court | Sentence imposed/penalty |
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I have included with this application a National Police Certificate which I believe is true and accurate.

Yes No

I hereby consent to the ongoing checking by the TSC 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 or taxi-cab industry accreditation.

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 the Victorian 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.

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

Signature of Relevant Person

Date

Section D: Financial capacity

Are you an undischarged bankrupt under the law of Australia or any place outside Australia?

Yes No

Have you ever been bankrupt under the law of Australia or of any place outside Australia?

Yes No

Are you disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* (Cwlth) or under the law of any place outside Australia?

Yes No

Have you 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 offence even if the details overlap with details given under Section C of this form.)

Yes No

Have you ever been an officer of a company that is, or has been, placed in administration or liquidation or been wound up, or in respect of property of which a receiver has been appointed, under the law of Australia or of any place outside Australia?

Yes No

Are there any other matters arising from your financial history which may affect your ability to enable the applicant or accredited person to have the financial capacity to meet the Business and Service Standards for the activities in respect of which accreditation is sought or Commercial Passenger Vehicle Licence conditions?

Yes No

If you answered 'yes' to any of the above 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.

Declaration

I, _____,

being a Relevant Person in relation to an applicant for accreditation under Division 4 of Part VI of the *Transport (Compliance and Miscellaneous) Act 1983* (Vic.), declare that my 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, 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, including (but not limited to) disclosure to the responsible person for the applicant and any other person as required, in the course of dealing with the applicant and (if applicable) the subsequent accreditation of the applicant.

Signature of Relevant Person

Date

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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, Level 23, 80 Collins 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 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)

Email: privacy@taxi.vic.gov.au

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