

INFORMATION FOR BOOKING SERVICE PROVIDER APPLICANTS

Provider of a booking service is defined in section 5 of the *Commercial Passenger Vehicle Industry Act 2017 (Vic)* as a business that receives requests for persons to be provided with commercial passenger vehicle services and arranges or facilitates the acceptance of those requests by or on behalf of drivers of commercial passenger vehicles.

RELEVANT PERSON FORM

A Relevant Person Form (which includes consent for criminal history checks) must be submitted by each person relevant to this application, together with 100 points of proof of identity documents. For who is a 'relevant person', please refer to the Relevant Person Form available from Commercial Passenger Vehicles Victoria (CPVV).

SUPPORTING DOCUMENTS FOR NON-INDIVIDUAL APPLICANTS

The following documents must be attached to an application for registration as a Booking Service Provider (BSP) from non-individual applicants:

1. Evidence of incorporation/establishment:

- **Partnership**, a statutory declaration stating the partnership is a legal partnership and identifying the partners. If the partnership is an overseas partnership, a duly notarised document stating that the entity is a partnership that is equivalent to a partnership under Australian law. If one or more partners is a corporate entity, a company extract (or equivalent) must be provided for that partner.
- **Company**, a recent company extract (no more than three months old) listing all directors. This is available from the Australian Securities and Investments Commission (ASIC). For a company registered internationally, an equivalent extract from the country's company register (including all directors, corporate contact details and date of incorporation). The document must be accompanied by a declaration in English that the extract is the equivalent to the ASIC company extract used in Australia.
- **Companies**, (whether Australian or overseas) that have corporate directors and/or an ultimate holding company must provide a statement as to the relationship between those companies and as to who has ultimate control over the activities of the applicant/ company in Victoria.
- **Overseas companies** must provide a statement describing the extent of their presence in Australia.
- **Incorporated association**, a certified copy of the incorporation certificate or equivalent notarised overseas document.

2. Evidence of nomination of a Responsible Person. Sufficient evidence may be as follows:

- **Partnership:**
 - where there are **four partners or fewer**, a letter signed by a partner (who is not the proposed Responsible Person) nominating the person specified to be the responsible person.
 - where there are **more than four partners**, a letter signed by the managing partner nominating the person specified to be the Responsible Person (if the managing partner is to be the Responsible Person, the letter must be endorsed by a second partner).
- **Company or a co-operative**, an extract of the minutes of a meeting of the board of directors of the company or co-operative recording the passing of a resolution nominating the Responsible Person.
- **Incorporated association**, an extract of the rules of the association demonstrating how decisions are made and written evidence that a decision to nominate the Responsible Person has been made in accordance with those rules.
- **Body corporate** (other than a company, co-operative or incorporated association), please consult CPVV regarding what would be sufficient evidence of nomination of the Responsible Person.

CPVV PUBLIC REGISTER

If registered as a BSP, information provided in this application will be published on a register of permission holders. 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 the application form. Information published includes the name of the BSP, the BSP's business contact details and the details of the services provided by the BSP

APPLICATION FEE

Each application attracts a \$45.70 application fee together with \$45.70 for each additional Relevant Person (ie, if an applicant is a body corporate, the application fee will be \$45.70 for the applicant plus \$45.70 per Relevant person). Payment details can be recorded in section 8 of this form. Please ensure the payment amount is the total amount for all Relevant Persons.

LODGEMENT DETAILS

This application form and supporting documents can be submitted to Commercial Passenger Vehicles Victoria:

| | |
|------------------|--|
| In person | Lower Ground Floor, 1 Spring Street, Melbourne. |
| Post | Commercial Passenger Vehicles Victoria, GPO Box 1716, Melbourne VIC 3001. Please contact CPVV for further information as to how the application may be lodged. |

Commercial Passenger Vehicles Victoria
Ground Floor, 1 Spring Street, Melbourne VIC 3000
GPO Box 1716, Melbourne VIC 3001 Phone: 1800 638 802 (toll-free) cpv.vic.gov.au

July 2018

TRANSPORT FOR VICTORIA

COMMERCIAL
PASSENGER
VEHICLES
VICTORIA

APPLICATION FOR REGISTRATION AS A BOOKING SERVICE PROVIDER

BEFORE YOU BEGIN PLEASE:

- ensure you have read the Information for Booking Service Provider applicants and CPVV's Privacy Policy
- be aware information provided in this application will be published on CPVV's Public Register (register of commercial passenger vehicle industry participants)
- complete all fields in BLOCK LETTERS

SECTION 1 – THE APPLICANT

Who is the applicant? An individual (complete sections 2 and 4 to 9) Non-individual (complete sections 3 to 9)

SECTION 2 – INDIVIDUAL APPLICANT

Title Mr Mrs Ms Other

Last name

First name

Middle name/s

SECTION 3 – NON-INDIVIDUAL APPLICANT

Entity type Partnership Company Co-operative Incorporated association
 Other – please specify

Applicant name

Please nominate a Responsible Person as the primary contact

This person must be one of the Relevant Person/s and will be contacted by CPVV with respect to the application. For a definition of Relevant Person, please refer to the Relevant Person Form available from CPVV.

Title Mr Mrs Ms Other

Last name

First name

Middle name/s

SECTION 4 – CONTACT DETAILS FOR THE APPLICANT

CPVV's primary mode of contact will be email. An email address and at least one phone number must be provided.

Email address

Business phone Mobile phone

Facsimile

Australian Business Number (if held)

Australian Company Number (if held)

SECTION 4 – CONTACT DETAILS FOR THE APPLICANT

Postal address

Address

Town/Suburb State Postcode

Business (street) address

Street address

Town/Suburb State Postcode

SECTION 5 – SERVICES TO BE PROVIDED

Please provide details in a separate document of how the Applicant carries on the business of:

- receiving requests for persons to be provided with commercial passenger vehicle services; and
- arranging or facilitating the acceptance of those requests by or on behalf of drivers of commercial passenger vehicles.

If a wholly or partly automated electronic system is being used to perform the services of a booking services provider, please provide details of the system and particulars of the person(s) who own, operate or control that system.

SECTION 6 – INFORMATION ABOUT THE APPLICANT

The following questions relate to an assessment of whether the applicant is fit and proper under applicable legislation.

ALL APPLICANTS

Has the applicant been found guilty of a criminal offence, either in Australia or overseas? Yes No

If you have answered 'yes' to this question you must attach to this application form the following information for each offence:

- a description of the offence and any sentencing order imposed (including dates for each);
- a copy of any Court Order, judgment and sentencing remarks, including the court that decided the matter; and
- confirm whether the Applicant was convicted.

Has the Applicant ever been charged with a criminal offence, either in Australia or overseas, where it has not been finally determined? Yes No

If you have answered 'yes' to this question you must attach to this application form the following information for each charge:

- A copy of the charge sheet (or equivalent);
- details of the offence charged with;
- date of the alleged offence; and
- the court in which the matter is being heard.

Has the Applicant, or any of its officers, partners or managers, been the subject of an investigation or adverse finding for breaching safety laws? For example, where there has been: Yes No

- an enforceable undertaking accepted by a regulator (regardless of whether the undertaking was subsequently breached);
- a letter of caution issued;
- disciplinary action, such as suspension, taken against any permission it held;
- referral to a professional, registration, or disciplinary body or other agency on the basis of a breach or alleged breach;
- disqualification from a scheme;
- a civil penalty (for example a fine); or
- any other like action.

Has the Applicant, or any of its officers, partners or managers, ever been the subject of an adverse finding in a civil court for which they were found liable, and where the factual circumstances related to safety? Yes No

SECTION 6 – INFORMATION ABOUT THE APPLICANT – CONTINUED

Has the Applicant, or any of its officers, partners or managers, been the subject of an adverse finding for breaching the laws of a commercial passenger vehicle industry either in Australia or overseas? Yes No

If you have answered 'yes' to any of these questions, you must attach to this form a copy of the documents evidencing the details of the breach or alleged breach, any findings made, any reasons for decision and penalty imposed or disciplinary action taken.

Has the Applicant previously had an application refused for registration as a booking service provider, or the equivalent, in any other Australian state? If so, please provide a copy of the decision. Yes No

NON-INDIVIDUAL APPLICANTS

Where the Applicant is a non-individual Applicant which was not originally formed, incorporated or otherwise created in Australia, evidence must be attached from that jurisdiction as to whether or not the Applicant has been found guilty of a criminal offence in that jurisdiction. Non-individual applicants must appoint a person in Victoria to represent the applicant for the purposes of all court proceedings involving the Applicant. Please complete the following statement:

The Applicant nominates as the Applicant's representative for the purposes of all court proceedings and, if applicable, for the purposes of section 334 of the *Criminal Procedure Act 2009* (Vic).

The contact details of the person is as follows:

Email address

Business phone Mobile phone

Facsimile

Postal address

Address

Town/Suburb State Postcode

SECTION 7 – DECLARATION, ACKNOWLEDGEMENT AND CONSENTS

I, , (Applicant) * (if an individual Applicant);

OR

I/We, the undersigned relevant persons, , (Applicant) * (if a non-individual Applicant); for and on behalf of

**delete the statement, or part of the statement, which does not apply.*

Consent to:

- the request by Commercial Passenger Vehicles Victoria "CPVV" of:
 - a national police records check and a check of records held by any other law enforcement agency in Australia; and
 - a police records check that includes the search of the records held by police forces, and any other law enforcement agencies, in other countries;
- the retention by CPVV of the Applicant's national police certificate or any other criminal history records so obtained;
- the ongoing checking by CPVV of the Applicant's criminal, traffic, medical or other records relevant to the Applicant's suitability and or fitness to hold booking service provider registration. I acknowledge that these records may be held by other State or Federal Government departments or agencies (including but not limited to law enforcement agencies and courts), health institutions, medical practices, and may contain sensitive and health information; and release of information recorded against the Applicant's name, including any matters which may be deemed to be relevant to the Applicant holding a booking service provider registration. Any matters which may be deemed to be relevant to the Applicant holding a booking service provider registration may include (but are not limited to) obtaining certified court extracts, narratives extracted from police records and databases relevant to the commission of an offence and/or the summary of offences obtained from the relevant police brief of evidence;

4. the service on, or giving to, the Applicant of any document that may be served on or given to it in court (whether civil or criminal) or tribunal proceedings and/or under the *Commercial Passenger Vehicle Industry Act 2017 (Vic)* ('Act') and /or regulations made under that Act ('BSP law'), by email to the Applicant's email provided in this application form and/or by mail to the Applicant's business address provided in this application form;
5. in the event that this application is successful, information (including information provided in this application) being published on CPVV Register of Permission Holders including the name of the Applicant, the Applicant's business contact details, details of the services provided by the Applicant and (where information is available) the number of commercial passenger vehicles or drivers that subscribe to booking services provided by the Applicant;
6. I/We consent to CPVV collecting, storing and retaining all information, including personal and sensitive information, obtained from the Applicant, its Relevant Persons, State or Federal departments or agencies (including but not limited to law enforcement agencies and courts), and using, or disclosing that information to third parties for the purposes of the Act or as otherwise authorised by law, including but not limited to disclosure to any other person as required, in the course of dealing with the application and the Applicant's registration.

Acknowledge and understand that:

7. the Applicant's information is also being collected for the purposes of requesting a National Police History Check (NPHC) from the Australian Criminal Intelligence Commission (ACIC) and law enforcement agencies, and for the assessment of the Applicant's application for the issue or renewal of an industry registration;
8. any information provided by law enforcement agencies or ACIC relates specifically to the purpose of the Applicant completing and lodging its application and CPVV assessing the Applicant's application in accordance with BSP law;
9. the purpose for which an NPHC is being undertaken is to enable CPVV to assess the Applicant's application in accordance with BSP law;
10. the meaning or nature of an NPHC is that information provided in this form will be disclosed to ACIC and law enforcement agencies for conducting a national police history record check and updating records held about the Applicant by ACIC and law enforcement agencies;
11. ACIC and law enforcement agencies will access their records to obtain and disclose police history information that relates to the Applicant to CPVV. That information may include outstanding charges, warrant information and criminal convictions, findings of guilt or pleas of guilt recorded against the Applicant;
12. police history information is disclosed according to the applicable laws of the relevant jurisdiction and, in accordance with the relevant jurisdiction's information release policies. That may include spent convictions legislation;
13. information will be disclosed to persons or bodies in accordance with applicable legislation and information release policies including spent convictions legislation (however described in the Commonwealth, States and Territories) such as law enforcement and government agencies for the purposes of CPVV's or those agencies' lawful functions. I understand that the Applicant's information provided in this form may be disclosed to CPVV (including contractors or related bodies corporate located in Australia or overseas);
14. the Applicant's information may be used for general law enforcement purposes and it is usual practice for an Applicant's personal information to be disclosed to law enforcement agencies for law enforcement purposes including the investigation of any outstanding criminal offences;
15. the information provided in this form will be considered by CPVV for the purposes of assessing the application for registration as a provider of a booking service under the Act, and may be further considered during the term of any registration issued to the Applicant, to fulfil CPVV's objects and discharge its functions under BSP law and the *Transport Integration Act 2010 (Vic)*, including taking any disciplinary action against the Applicant's registration in accordance with the Act;

Declare that:

16. the Applicant seeks to be registered as a commercial passenger vehicle industry participant in Victoria and the purpose for the National Police History Check (NPHC) is '*Commercial Passenger Vehicles Victoria – Registration*';
17. the Applicant is or intends to be a booking service provider and is willing and able to provide booking services in Victoria and to comply with all requirements of a registered booking service provider;
18. there are no other relevant persons within the meaning of the Act other than those whom have been identified in this application;
19. the information provided in this form and in connection with this form are true and correct in every particular. I/We understand that providing false or misleading information when completing this form is an offence under section 269 of the Act.

