

INFORMATION FOR BOOKING SERVICE PROVIDER APPLICANTS

A booking service provider (BSP) is defined in section 7 of the *Commercial Passenger Vehicle Industry Act 2017 (Vic)* as carrying on the business of receiving requests from persons wanting to be provided with a commercial passenger vehicle service and arranging or facilitating the acceptance of those requests by or on behalf of drivers of commercial passenger vehicles. Anyone who owns, operates or controls a wholly or partly automated electronic system which does these things is also a BSP.

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).
 - **Companies**, (whether Australian or overseas) that have 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. For a company registered internationally, an ASIC equivalent extract from the country's company register (including all directors, corporate contact details and date of incorporation). If any document being provided is not in English, a certified translation of it into English must be provided to CPVV.
 - **Incorporated association**, a certified copy of the incorporation certificate or equivalent notarised overseas document.

CPVV PUBLIC REGISTER

If registered as a BSP, information provided in this application will be published on CPVV's Public Register of Permission Holders. 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 contact details and the details of the services provided by the BSP.

APPLICATION FEE

Each application attracts an application fee (which includes the cost of conducting a criminal history check of the Responsible Person) plus the same amount for each additional Relevant Person. Please ensure the payment amount is the total amount for all Relevant Person.

The application fee must be paid before we can process the application. Visit cpv.vic.gov.au for a list of current application fees. Payment can be submitted with the application, by Bank Cheque/Money Order (made payable to Commercial Passenger Vehicles Victoria).

If this option is not available to you, (as a temporary measure, during Covid-19 restrictions) please submit the application without payment and we will contact you with our banking details for a direct banking transfer of the application fee.

LODGEMENT DETAILS

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

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.

APPLICATION FOR REGISTRATION AS A BOOKING SERVICE PROVIDER

BEFORE YOU BEGIN PLEASE:

- ensure you have read the Information for Booking Service Provider Applicants and CPW's Privacy Policy
- note information provided in this application will be published on CPW's Public Register of Permission Holders
- 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

Business 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 CPW with respect to the application. For a definition of Relevant Person, please refer to the Relevant Person Form available from CPW.

Title Mr Mrs Ms Other

Last name

First name

Middle name/s

Does the Applicant also appoint the Responsible Person as representative for the purposes of all court proceedings?

Yes No

If no, please provide the contact details of a representative:

Title Mr Mrs Ms Other

Last name

First name

Middle name/s

SECTION 4 – CONTACT DETAILS FOR THE APPLICANT

CPV'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)

Postal address

Address

Town/Suburb State Postcode

Business (street) address

Street address

Town/Suburb State Postcode

SECTION 5 – SERVICES TO BE PROVIDED

A. Please explain how the Applicant will carry on the business of:

- receiving requests for persons to be provided with commercial passenger vehicle services - that is, how bookings are received; and
- arranging or facilitating the acceptance of those requests by or on behalf of drivers of commercial passenger vehicles - that is, how bookings are passed to drivers.

For example, you may receive requests from passengers via telephone/email/use of an app and arrange or facilitate the acceptance of requests via telephone/text message to the driver.

B. If the Applicant proposes to use a wholly or partly automated electronic system (for example an 'app') to perform the services of a booking service provider, please provide details of the system and of the person(s) who own, operate or control that system.

You may attach additional documents in support on your application

C. At the time of applying for BSP registration, what is the proposed scale of your business? (E.g. how many drivers and vehicles are intended to be used to provide booking services?)

SECTION 6 – INFORMATION ABOUT THE APPLICANT

The following questions relate to an assessment of whether the Applicant is fit and proper under applicable legislation. If any document being provided is not in English, a certified translation of it into English must be provided to CPVV.

ALL APPLICANTS

A. 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 a conviction was recorded.

B. Has the Applicant ever been charged with a criminal offence, either in Australia or overseas, which 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.

C. Has the Applicant, or any of its officers, partners or managers, been the subject of an investigation or adverse finding for breaching safety laws? Yes No

For example, where there has been:

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

D. 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

E. 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 Question C, D or E, 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.

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

SECTION 7 – DECLARATION, ACKNOWLEDGEMENT AND CONSENTS

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

I/We, the undersigned Relevant Persons, for and on behalf of ,
(Applicant) * (if a non-individual Applicant).

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

SECTION 7 – DECLARATION, ACKNOWLEDGEMENT AND CONSENTS

Consent to:

1. the request by Commercial Passenger Vehicles Victoria (**CPVV**) of:
 - a. a Nationally Coordinated Criminal History Check (**NCCHC**) and a check of records held by any other law enforcement agency in Australia; and
 - b. a police records check that includes the search of the records held by police forces, and any other law enforcement agencies, in other countries;
2. the retention by CPVV of the Applicant's national police certificate or any other criminal history records so obtained;
3. 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 (**BSP**) registration. The ongoing checking may involve CPVV obtaining records held by state or federal government departments or agencies (including but not limited to law enforcement agencies and courts), health institutions and medical practices. The records may contain sensitive and health information or other information recorded against the Applicant's name, including any matters which may be deemed to be relevant to the Applicant holding BSP registration. Any matters which may be deemed to be relevant to the Applicant holding a BSP 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, 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's Public Register of Permission Holders including the name of the Applicant, the Applicant's registered business name (if applicable), 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. 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 NCCHC 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 the Act;
9. the purpose for which a NCCHC is being undertaken is to enable CPVV to assess the Applicant's application in accordance with the Act;
10. the meaning or nature of an NCCHC 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 the Act 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 NCCHC is '*Commercial Passenger Vehicles Victoria – Registration*';
- 17. the Applicant is or intends to be a BSP and is willing and able to provide booking services in Victoria and to comply with all requirements of a registered BSP;
- 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.

SIGNED:

Individual Applicant / Responsible Person name

SIGNATURE	DD / MM / YYYY

Relevant Person name

SIGNATURE	DD / MM / YYYY

Relevant Person name

SIGNATURE	DD / MM / YYYY

Relevant Person name

SIGNATURE	DD / MM / YYYY

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