Application to add, change or remove information from the public register

PART A: Instructions

The Taxi Services Commission (TSC) must keep a register of taxi-industry participants under the Transport (Compliance and Miscellaneous) Act 1983 (Act). Information on the register will be made public, unless the TSC decides that access to that information should be restricted.

If the TSC decides it is necessary to do so, the TSC can correct any error or omission in the public register.

You can use this form if you think information on the public register should be added, changed or removed.

PART B: My details

1. I am:
   - [ ] An individual. If yes, go to Question 3 (My contact details)
   - [ ] A non-individual (eg corporation, partnership)

2. I am applying on behalf of a non-individual as a:
   - [ ] Director
   - [ ] Company Secretary
   - [ ] Partner
   - [ ] Responsible Person
   - [ ] Other person (please specify)

3. My contact details are:
   - Surname
   - First Name
   - Mailing address
   - Telephone number(s)
   - Email
   - Fax

4. I am (or my business is) a:
   - [ ] Commercial Passenger Vehicle driver – Accreditation number:
   - [ ] Taxi permit holder (operator) – Accreditation number:
   - [ ] Taxi Booking Service (network service provider) – Accreditation number:
   - [ ] Hire car licence holder – Licence number:
   - [ ] Special Purpose Vehicle licence holder – Licence number:
PART C: Amendments and corrections to the public register

5 What information do you think is wrong or missing on the public register? Please give reasons.


6 Please describe precisely what information should be added, changed or removed.


PART D: Declaration

I declare that the information I have provided in this application is true and correct.

I declare that I have read and understood the attached Privacy Statement.

I consent to the TSC collecting, storing and retaining all information (including personal and sensitive information) obtained from me, 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 making a determination on this application, or for purposes under the Act or as otherwise authorised by law.

I understand that it is an offence against the Act to provide false and misleading information to the TSC.

Signed


Name


Date
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 Health Records Act 2001 (Vic.) (Privacy Act) and the Health Privacy Principles (HPP) 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 activities, the activities of managing or administering that function or activity, or as required by law in regard to its statutory obligations.

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

The TSC may collect Personal or Health Information from you when you:
(a) apply for accreditation as a driver or operator;
(b) apply for a job with the TSC;
(c) request to be placed on the TSC’s mailing list;
(d) make an inquiry or give comment about the TSC’s functions and services; or
(e) 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:
(a) whether a crime has been committed or against you; and/or
(b) your identity, if a law enforcement agency suspects that a crime has been committed 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 will 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, ASIC and Centrelink.

Under Division 6A of Part 15 of the Transport (Compliance and Miscellaneous) Act 1983, the TSC is required to keep a register of taxi industry participants (Register) and to make the Register publicly available, including on its website. The Register must include the name of each person who holds:
• accreditation as a taxi-cab operator;
• accreditation as a provider of taxi-cab network services;
• accreditation to drive a commercial passenger vehicle;
• a hire car licence; or
• a special purpose vehicle licence, and any other information prescribed by regulations.

The TSC may also include on the Register for each person whose name is on the Register:
• business contact details including a telephone number, facsimile number, postal address, email address and internet address;
• details of any taxi-cab network service provided by the person; and
• the number of taxi-cab-subsidies operated by the person.

Information about a person whose name is on the Register will only be included with the person’s consent or after the person has given 28 days’ notice of the information that will be published (this notice is given on all TSC application forms). A person may apply to the TSC to restrict public access to information that is included in the Register. The TSC will not approve such an application if it satisfied that there are exceptional circumstances that justify the restriction.

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 deposits/associations, bus deposits/associations, driving instructor associations, Melbourne Airport and relevant state and federal government agencies including Victoria Police and VicRoads.

We may do so if it is necessary to investigate or report on:
(a) 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
(b) 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 contractors, 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
The TSC will take reasonable steps to protect Personal or Health Information from misuse, loss or unauthorised access, modification or destruction.

The TSC will retain your Personal or Health Information in accordance with FOI principles, but where the Personal Information is no longer needed for any personal, unless in the case of Personal Information, it is subject to the Freedom of Information Act 1982 (Vic.), 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.

Under Section 16B2 of the Transport (Compliance and Miscellaneous) Act 1983, the TSC may, if it decides that it is necessary to do so, correct any error or omission in the Register or the public version of the Register (refer to section 4.1).

6.1 Freedom of Information requests
Access to some information that the TSC holds may require a formal request under section 17 of the Freedom of Information Act 1982 (Vic.). Your FOI application and any queries should be made to:
TSC Freedom of Information Officer
Taxi Services Commission, Level 23, 80 Collins Street, Melbourne VIC 3000
Telephone: 1800 638 802 Facsimile: 03 8863 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;
• 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 the TSC in a manner contrary to the Privacy Act or HRA, you may contact the TSC Privacy Officer (refer to 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