

INFORMATION SHEET FOR PRE-APPROVAL AND ISSUE OF A STANDARD or WHEELCHAIR ACCESSIBLE TAXI LICENCE

1. PRE-APPROVAL APPLICATION PROCESS

An individual, partnership or a corporation may apply to the Road Transport Authority (the Authority) for pre-approval for a standard or a wheelchair accessible taxi (WAT) licence by completing and submitting an Application for Pre-Approval for a Standard or WAT Licence Form.

An applicant may submit an Application for Pre-Approval for multiple licences, but only one licence can be issued at a time. This means that if an applicant applies for more than one licence, their pre-approval will return to the bottom of the waiting list, when they have been issued with a licence. A pre-approval expires 2 years after it has been issued.

Each **relevant person** on the application must:

- be an Australian citizen or permanent resident of Australia; or,
- hold an appropriate visa and working rights;
- not have previously held taxi service operator accreditation or a taxi licence in the ACT that has been suspended, cancelled or surrendered in the preceding two years;

relevant person, for an application for a pre-approval means:

- (a) if the applicant is an individual—the applicant; or
- (b) if the applicant is a corporation—each executive officer of the corporation.

NOTE: An applicant for Pre-Approval for a WAT licence must detail the person's experience and background to indicate the person's suitability to provide taxi services to people with disability.

Applications for pre-approval will be recorded and assessed in sequential order of the date/time the application was lodged with Access Canberra.

If an application is refused, applicants will be notified, in writing, within 14 days of receipt of their application as to why the application has been refused.

Applications will only be accepted if all of the required documentation is provided at the time the application is submitted.

If the application is approved, applicants will be notified in writing, within 14 days of receipt of their application. At that time, applicants will also be advised if there is a taxi licence available to be allocated. If a licence is available for release the applicant will receive an availability notice and an 'Application for a Taxi Licence form, which will need to be completed and returned to Access Canberra within 14 days from the date of the Availability Notice.

If the applicant fails to return the Application for a Taxi Licence form within 14 days, they will lose their position on the taxi waiting list register and will have to re-submit a new application for pre-approval.

If there are no taxi licenses available for release at the time the pre-approval is approved, applicants will be notified that their application has been approved and they have been placed on the taxi licence waiting list until a licence becomes available. If or when a licence does become available, the above process will apply.

An applicant can withdraw their application for pre-approval for a taxi licence, at anytime, by notifying the Authority in writing.

As there will be no extensions of time to submit the Application for a Standard Taxi Licence form, it is the responsibility of the applicant to ensure that their contact details are kept up to date with Access Canberra.

2. ISSUE OF TAXI LICENCE

Once an Application for a Taxi Licence has been received, the Authority has **60 days** to issue a standard taxi licence and **120 days** to issue a WAT licence. The licence will only be issued, if:

- a. the pre-approval holder is accredited to operate a taxi service; and
- b. the pre-approval holder has a vehicle for which the licence is to be issued that meets the requirements to register the vehicle as a taxi under section 32B of the *Road Transport (Vehicle Registration) Regulation 2000*; and
- c. the pre-approval holder and/or the following people associated with the pre-approval holder have not been issued with more than 5 licences in the preceding 12 month period, and/or together they do not hold or operate a total of more than 25 licences:
 - family members;
 - close associates;
 - any influential people
(see attached sheet for Definitions of the above)

A Working With Vulnerable Persons (WWVP) or a National Police Character Check (NPC) is required as part of the accreditation process. It is, therefore, recommended that if a pre-approval holder is not already accredited as a taxi service operator they should contact Access Canberra 132281 regarding the processing timeframes.

To obtain details regarding the requirements to obtain a public vehicle driver endorsement to drive a taxi, please contact Access Canberra on 132281 or you can obtain the relevant information at www.accesscanberra.act.gov.au.

The Authority may make guidelines about circumstances which would be sufficient to justify delaying the decision to issue a taxi licence. The circumstances outlined in the guidelines would be if the delay was caused due to an unforeseen situation which was outside of the control of the applicant.

The annual licence fee for a standard taxi licence is \$5,000. The option of paying quarterly payments of \$1,250 is also available. The annual licence fee for a dual capacity WAT is \$100. These fees may be adjusted (i.e. increased or decreased) during the life of the taxi licence. A taxi licence is issued for a maximum of six years and may be renewed.

If the licence is surrendered, the licence fee will be refunded on a pro rata basis for the unused portion of the term of the licence, minus an administration fee. In addition, if the licence is surrendered the holder of the licence will not be able to re-apply for a taxi licence for a minimum of 2 years.

A taxi licence is issued subject to the condition that the licence holder cannot transfer the licence, or the day to day management of the taxi service to anyone else.

Disclaimer

The information provided in this document is for persons making an application for pre-approval for a standard taxi licence. Applicants should also refer to the *Road Transport (Public Passenger Services) Regulation 2002*, Division 3.2.2 sections 83 to 92P inclusive, for regulations relating to the pre-approval process and issuing of taxis licences.

DEFINITIONS

Family Member of an applicant means:

- (a) a parent, grandparent, brother, sister, uncle, aunty, nephew, niece, lineal descendant or adopted child of the member or their spouse.

Close Associate – a person is a close associate of someone (the related person) if:

- (a) the person holds or will hold an *executive position* in the related person's business; or
- (b) the road transport authority is satisfied that the person is or will be able to exercise a significant influence in relation to the conduct of the related person's business because the person holds or will *hold a financial interest* or is entitled to *exercise a relevant power* in the business.

executive position – a position (however described) in the related person's business is an executive position if the holder of the position is concerned with, or takes part in, the management of the business

exercise a power -includes exercise the power on behalf of someone else

financial interest in a business means – a share in the capital of the business or an entitlement to receive income derived from the business, however the entitlement arises.

hold a position – includes hold the position on behalf of someone else.

power – means a power exercisable by voting or otherwise, either alone or with others.

relevant power – for a business or a corporation means a power –

- to take part in a directorial, managerial or executive decision for the business or corporation; or
- to elect or appoint a person as an executive officer in the business or corporation; or
- for a corporation – to exercise a significant influence in relation to the conduct of the corporation

Influential people, for a corporation, means any of the following:

- (a) an executive officer of the corporation;
- (b) a person who may *exercise a relevant power* in relation to the corporation;
- (c) a *related corporation*;
- (d) an executive officer of a *related corporation*

related corporation – means a related body corporate under the Corporations Act

Business – includes a business not carried on for profit, a trade or a profession.