

TSV office use only

Application for Bus Operator Accreditation

Bus Safety Act 2009 (Vic), Bus Safety Regulations 2010 (Vic)

Things to know before applying

An applicant may be any of the following:

- an individual person
- a body corporate (company, registered incorporated association, co-operative or other body corporate)
- a partnership
- an unincorporated body or association.

Before completing this application you:

- should determine whether you need to be accredited
- must be able to demonstrate you have the competence and capacity to operate a commercial or local bus service safely
- should consider the accreditation eligibility factors relating to criminal offences, previous bus operator accreditation and insolvency
- must prepare and provide the supporting documentation required as part of the application. This includes competency and capacity documents, police checks, proof of identification, bus roadworthy certificates and certificates of business registration.

For further information, refer to the guidance notes on page 7 at the back of this form. A full list of attachments is also provided on page 5.

If, after reading the information provided, you are unsure how the requirements and eligibility relate to your bus service and circumstances, you can contact Transport Safety Victoria (TSV) on 1800 223 022 for advice.

Section 1 Applicant details

1. In what name is the accreditation to be held? This is the entity name. For example: John Smith, John & Mary Smith, Smiths Bus Lines Pty Ltd

2. Are you the applicant...

an individual? → Go to question 3.

a body corporate (company, registered incorporated association, co-operative or other body corporate)? → Go to question 4.

a partnership? → Go to question 4.

an unincorporated association or body? → Go to question 4.

3. **Individual applicant**

Title (Mr, Mrs, Dr, etc)

Surname

Given names

Street address

Street number and name

Suburb

State

Postcode

Country Australia or specify other country

Postal address Same as street address above

OR specify different street number and name/PO box

Suburb

State

Postcode

Country Australia or specify other country

Telephone number

Mobile number

Fax number

Email

Now go to question 5.

4. **Body corporate/partnership/unincorporated association or body applicants**

ACN/Registration number (if applicable)

Street address

Street number and name

Suburb

State

Postcode

Country Australia or specify other country

Postal address Same as street address above

OR specify different street number and name/PO box

Suburb

State

Postcode

Country Australia or specify other country

Telephone number

Mobile number

Fax number

Email

Responsible person. Bodies corporate, partnerships and unincorporated associations or bodies must nominate a responsible person. This person must be a relevant person as defined in the guidance notes on page 8 and be able to provide information on the operations and compliance of the bus service.

Title (Mr, Mrs, Dr, etc)

Surname

Given names

Position title

Section 2 Bus service details

5. What type of bus service do you intend to operate? Refer to the guidance notes for an explanation of the types of services.

- A commercial bus service (specify which type/s) Route Demand responsive Tour and charter Courtesy
 A local bus service

6. Provide a description of the service including days/hours of operation, geographical locations covered (suburbs), the type of patrons (general public, wedding parties, sporting groups etc.) and whether or not passengers are charged a fee to use the service.

7. Tick the box(es) which best describe the type of environment where the bus service will operate.

(You must choose at least one. Select more than one if applicable)

Built-up areas. A built-up area is where there are buildings and/or houses next to the road or there is street lighting at intervals not over 100 metres apart for a distance of 500 metres or more.

- Environment 1 (E1)** – Built-up areas, high population density, low speeds, shorter journeys.
 Environment 2 (E2) – Outside built-up areas, lower population density, higher speeds; longer journeys; narrow and or undivided roads; hazards such as livestock, wildlife, trees close to the road; heavy vehicle traffic at higher speeds.
 Environment 3 (E3) – Outside built-up areas with extreme risk factors e.g. long steep roads with precipitous drop offs; high volumes of heavy vehicle traffic at high speeds; narrow, unsealed, winding, undivided roads; blackspots, climate conditions such as fog, snow and ice.

8. How many buses are to be operated?

Section 3 Competency

9. How are you demonstrating competency to operate the bus service? Refer to the guidance notes for more information.
- Successful completion of the approved training course (method 1)
 - Statement of competence and evidence (method 2)
 - Other information and evidence (method 3)

Section 4 Previous bus operator accreditation/registration details

10. Have you (the applicant) ever been, or are you currently, licensed/accredited/registered as a bus operator in any state or territory other than Victoria?
- No → Go to question 12.
 - Yes → Provide details of all previous and current bus operator licences/accreditation/registration

Name licence/accreditation/registration held in	Accreditation number	Date of issue	State or territory of issue	Current or expired
				<input type="checkbox"/> Current <input type="checkbox"/> Expired
				<input type="checkbox"/> Current <input type="checkbox"/> Expired
				<input type="checkbox"/> Current <input type="checkbox"/> Expired
				<input type="checkbox"/> Current <input type="checkbox"/> Expired
				<input type="checkbox"/> Current <input type="checkbox"/> Expired

11. Have you (the applicant) ever had any bus operator licence, accreditation or registration cancelled, suspended or disqualified or had any disciplinary action taken against you as a bus operator?
- No → Go to question 12.
 - Yes → Provide details

12. Do you currently hold an existing bus operator accreditation in Victoria in a name different to the name in question 1?
- No → Go to question 13.
 - Yes → Please specify the name

13. Upon approval of this new accreditation, do you wish to surrender your existing Victorian bus operator accreditation?
- No → Go to question 14.
 - Yes → At the date accredited OR Thirty days from the date accredited

Section 5 Overseas criminal history

14. Have you (the applicant), or any relevant person, ever been found guilty of an offence in an overseas court? Refer to the guidance notes for the definition of a relevant person.
- No → Go to question 15.
 - Yes → Provide details of all offences

Name of offender	Position in applicant entity	Nature of offence	Date of sentencing (month/year)	Country in which the offence was committed	Outcome

Section 7 Declaration and signature

15. I declare that:

- the information provided in this application including any attachments is true and correct
- I am not disqualified from managing corporations under *Part 2D.6 of the Corporations Act 2001 (Cth)*
- if accredited, all buses will comply with the vehicle standards under the *Road Safety Act 1986 (Vic)* and any other prescribed standards
- I understand it is an offence under section 66 of the *Bus Safety Act 2009 (Vic)* to provide any false or misleading information and that penalties apply.

Individual

Who must sign: the individual applicant.

Signature

Date

X

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A body corporate which is a company within the meaning of the *Corporations Act 2001 (Cth)*

Who must sign: two directors of the company, OR a director and company secretary, OR if a proprietary company that has a sole director who is also the sole company secretary, the sole director.

Signature

Printed name

Position

Date

X

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Signature

Printed name

Position

Date

X

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A body corporate other than a company within the meaning of the *Corporations Act 2001 (Cth)*:

Who must sign: each director of the body corporate, OR each member of the management committee of the body corporate.

An unincorporated body or association: Who must sign: each member of the management committee of the body corporate.

Partnership: Who must sign: all partners of the partnership.

If space is insufficient to provide all signatures, photocopy this page as required or attach a separate document with all signatures and details.

Signature

Printed name

Position

Date

X

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Signature

Printed name

Position

Date

X

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Signature

Printed name

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Position

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Signature

Printed name

Position

Date

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Attachment checklist

You must provide the following attachments as part of your application. TSV cannot assess your application unless you provide all attachments. Failure to provide any of these attachments will result in delays to or refusal of your accreditation. Original documents will be returned.

Evidence of competency

- Evidence of successful completion of the approved training course (method 1). For example training certificate evidencing successful completion of the course.

OR

- A statement of competence and evidence (method 2).

OR

- Other information and evidence to demonstrate your skills and knowledge to safely operate a bus service (method 3).

Evidence of capacity

- A copy of your Management Information System (MIS).

AND

- A copy of your Maintenance Management System (MMS).

National police certificate/s

- Individual applicant - an original national police check certificate for the individual applicant. National police checks must be obtained from Victoria Police.

- For all other applicants - an original national police check certificate for each relevant person as defined on page 8 of the guidance notes at the back of this form. National police checks must be obtained from Victoria Police.

Roadworthy certificate/s

- For each bus to be operated under the service, a copy of the current roadworthy certificate issued by a licensed vehicle tester authorised by VicRoads to test buses.

Application fee payment

- Attach a cheque made payable to Department of Transport.

Business documents (not applicable to individual applicants)

For a body corporate which is a company within the meaning of the *Corporations Act 2001 (Cth)*

- A copy of the certificate of incorporation; and
 A list of the names of all directors of the company, current as at the date of application.

For a body corporate other than a company within the meaning of the *Corporations Act 2001 (Cth)*

- A copy of the certificate of incorporation or registration or a copy of the document creating or evidencing the existence of the body corporate or, for Government authorities or organisations incorporated under legislation, a letter on a letterhead stating the name of the legislation under which they are incorporated); and
 A list of the names of all directors and/or office bearers of the body corporate, current as at the date of application.

For an unincorporated association or body

- A copy of the certificate of business name or other document creating or evidencing the existence of the unincorporated body or association. For example a certificate of registration, a printed extract from the Australian Securities and Investments Commission (ASIC) website www.search.asic.gov.au
 A list of the names of all members of the committee of management of the unincorporated association or body, current as at the date of application.

For a partnership

- A copy of the partnership agreement; and
 A list of the names of each of the partners of the partnership, current as at the date of application.

Proof of identification

Certified copies of proof of ID documents for the individual applicant or for all other applicants, the responsible person nominated in question 4. Indicate which option/s you are providing.

One primary ID document from the list below

- Current Australian state/territory driver's licence containing a photograph of the person.
 Australian passport (current or expired within the preceding 2 years).
 Card issued by a state or territory for the purpose of providing a person's age containing a photograph of the person.
 Foreign passport or similar travel document containing a photograph and signature of the person.

OR

Two secondary ID documents (one from each list below)

One of these:

- Australian birth certificate.
 Australian citizenship certificate.
 National identity card issued by a foreign government containing a photograph of the person in whose name the card was issued.

And one of these:

- A document issued by a local government body or utilities provider within the preceding three months showing the persons name and current residential address (e.g. rates notice or gas/ electricity bill).
 Pension card issued by Centrelink.
 Health card issued by Centrelink.
 A document issued by the Australian Taxation Office within the preceding 12 months that records a debt payable by the person to the Commonwealth (or by the Commonwealth to the person) which contains the person's name and current residential address (e.g. Notice of Assessment).
 A document issued by the Commonwealth or a state or territory within the preceding 12 months that records the provision of financial benefits to the person and which contains the person's name and current residential address (e.g. bank statement).
 Foreign driver's licence that contains a photograph of the person in whose name it was issued and that person's date of birth.

Copies of all identification documents must be certified. The person who is authorised to certify documents must sight the original and the copy and make sure both documents are identical. For each page of the documents, they must write or stamp 'certified true copy', followed by their signature, printed name, qualification (e.g. justice of the peace) and the date.

Persons that can certify documents include:

- a justice of the peace
- a notary public officer
- a police officer
- a chemist
- a permanent employee of Australia Post with five or more years of continuous service
- a finance company officer with five or more years of continuous service (with one or more finance companies)
- an officer with, or authorised representative of, a holder of an Australian Financial Services Licence (AFSL), having five or more years continuous service with one or more licensees
- an Australian consular officer or an Australian diplomatic officer
- a judge of a court or a magistrate
- a registrar or deputy registrar of a court
- a chief executive officer of a Commonwealth court.

Non-English documents. Any proof of identification documents not written in English must be accompanied by an English translation prepared by an accredited translator.

Fees and payment

The application fee for bus operator accreditation changes on 1 July every year, in accordance with the *Monetary Units Act 2004 (Vic)*. Refer to the TSV website for the current application fee. Please note that any application received with an incorrect fee will be returned to the applicant for correction and will need to be resubmitted for processing. Fees can be paid by cheque made payable to Department of Transport.

How to lodge

- Make sure you have included all attachments listed on page 5 of this form. If you do not include all attachments, your application cannot be assessed and your application may be delayed.

Send your completed application, attachments and payment by post to

Bus Safety Administration Officer
Transport Safety Victoria
PO Box 2797 Melbourne VIC 3001.

What happens next

TSV will send you an acknowledgement that your application has been received.

You may be required to provide more information.

When all information has been received and payment has cleared, TSV will commence assessing the application and determine whether to approve your accreditation. The Safety Director has up to three months to determine and may extend the determination if necessary.

If your application is approved, you will receive a bus operator accreditation certificate. Your accreditation is ongoing unless cancelled, suspended or surrendered.

If refused, you will be notified in writing, stating the reasons for refusal and your right to appeal the decision at the Victorian Civil and Administrative Tribunal.

Transport Safety Victoria (TSV) collects and holds the personal information provided in this application to assist the Director, Transport Safety (Safety Director) to administer the *Bus Safety Act 2009 (Vic)* and *Bus Safety Regulations 2010 (Vic)*.

TSV is committed to protecting personal information in accordance with its obligations under the *Bus Safety Act 2009 (Vic)*.

The personal information provided in this application may be disclosed to other government agencies in accordance with the *Bus Safety Act 2009 (Vic)* and the *Transport Integration Act 2010 (Vic)*.

It is an offence under the *Bus Safety Act 2009 (Vic)* to give information that is false or misleading in relation to an application.

The individuals whose personal information is collected on this application have a right to seek access to this personal information and to seek correction of any error in the personal information held. All individuals whose personal information is included with this application should be informed of this fact.

For more information on privacy please refer to TSV's privacy statement at www.transportsafety.vic.gov.au/privacy.

Application for Bus Operator Accreditation Guidance Notes

Determining whether you need to be accredited

The *Bus Safety Act 2009* (Vic) requires the accreditation of all operators of a **commercial** or **local** bus service which operates a bus with seating positions for **13 or more adults** (including the driver).

Description of bus services requiring accreditation

Commercial bus service

A commercial bus service operates one of the following services:

<i>Bus service</i>	<i>Description</i>	<i>Example</i>
Route bus	A regular service operated for hire or reward for passengers to travel along a fixed route on a regular basis.	Bus 96 that travels the same route each day.
Demand responsive	A regular service that operates for hire or reward in a specific area on a regular basis where the route is determined by the demands of the passengers and is not fixed. Each passenger is charged a separate fare.	Airport shuttle where passengers are picked up in different suburbs.
Tour and charter	A service that operates for hire or reward either to transport tourists by a bus to a common destination; or to carry a group of passengers that has booked the bus for a purpose. The group is charged one fee for the bus rather than a separate fee for each passenger.	A bus hired for the purpose of transporting guests from a wedding ceremony to the wedding reception.
Courtesy bus (other than a non-commercial courtesy bus service)	A service operated for any consideration or in the course of any trade or business.	Used by a business to carry customers or patrons of the business. A hotel which offers a free bus service to patrons. A car park which offers a free shuttle service to patrons. A free bus services that transports passengers holding tickets to an event to the grounds of the event.

Local bus service

<i>Bus service</i>	<i>Description</i>	<i>Example</i>
Local	Operates on a regular basis or subject to demand, is available for use by the general public and is not operated for hire or reward but may accept passenger donations.	A bus service provided by a local council or a housing authority for the benefit of residents in a locality or members of the general public.

If the service you intend to operate does not meet any of the above categories, you may need to be registered instead of accredited.

The *Bus Safety Act 2009* (Vic) requires the registration of all operators of:

- any bus service which operates one or more buses with **10 to 12 seats** for adults (including the driver) to provide a service for the transport of passengers by road; or
- a bus service which operates one or more buses with **13 or more seats** (including the driver) to provide a service for the transport of passengers by road that does not fall under the definition of a commercial bus service or local bus service.

Description of bus services requiring registration

<i>Bus service</i>	<i>Description</i>	<i>Example</i>
Community and private bus service	A service which carries passengers for or in connection with the activities of a religious, educational, health, welfare, philanthropic, sporting or social body. To operate this type of service, the bus operator must receive no consideration, or consideration which is of no greater value than the costs incurred in making the journey.	A school transporting students to and from school.
Non-commercial courtesy bus service	A service where the operator does not derive any profit from the provision of the service.	A bus operated by a business to transport its own employees from an office to a work-site.
Hire and drive bus service	A service which hires out buses for a fixed period of time for valuable consideration on the condition that the bus will be driven during that period of time by the person who hired the bus, or by another person on behalf of the hirer. The service does not provide a driver with the bus.	A bus rental business.
Commercial minibus service	A route service, demand responsive or tour and charter bus service operating a bus built with seating for 10, 11 or 12 adults (including the driver).	
	Route bus. A regular service operated for hire or reward for passengers to travel along a fixed route on a regular basis.	A minibus used for as an airport shuttle where passengers are picked up from route locations.
	Demand responsive. A regular service that operates for hire or reward in a specific area where the route is determined by the demands of the passengers and is not fixed. Each passenger is charged a separate fare.	A minibus used for an airport shuttle where passengers are picked up in different suburbs, dependent on demands of customers.
	Tour and charter. A service that operates for hire or reward either to transport tourists by a bus to a common destination; or to carry a group of passengers that have booked the bus for a purpose. The group is charged one fee for the bus rather than a separate fee for each passenger.	A minibus hired for the purpose of transporting guests from a wedding ceremony to the wedding reception.

Competency and Capacity

As part of this application for accreditation, you must demonstrate your competency and capacity to safely operate a commercial or local bus service.

Competency

There are three methods to demonstrate your competency.

<i>Method 1</i>	Undertaking and successfully completing the Safety Management Course for Bus Operators (SMC) provided by the Institute of Transport Studies, Monash University	An individual person or the responsible person must have successfully completed the two subjects 5101 Introduction to Bus and Coach Safety and 5102 Safety Risk Management Bus and Coach Operations. As part of your application, you will need to provide a training certificate evidencing your successful completion of the course.
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OR

<i>Method 2</i>	Provide a statement of competence and evidence	The statement of competence must evidence you have sufficient knowledge, understanding and skills against specific criteria for operating a bus service. The criteria is the same as the learning outcomes achieved by completing the Safety Management Course. For further information on what needs to be addressed in the statement, refer to the <i>Methods of Demonstrating Competence Policy</i> available on the TSV website.
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OR

<i>Method 3</i>	Provide other information and evidence	If you have previously safely operated a bus service of the same scale and complexity, you can provide a detailed description to evidence your skills and knowledge to safely operate a bus service. Your description must address certain criteria. Refer to the <i>Methods of Demonstrating Competence Policy</i> available on the TSV website.
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Capacity

To demonstrate your capacity to safely operate a bus service, you must provide a copy of your:

Management Information System (MIS)	Your system for managing information about your bus service including operating conditions, risks, incidents, and determined safety objectives. For detailed information on what needs to be included in an MIS, refer to the guide <i>Management Information System for Accredited Bus Operators</i> and other templates available from the TSV website.
Maintenance Management System (MMS)	Your system for managing maintenance to ensure each bus is safe and roadworthy to carry passengers. For detailed information on what needs to be included in an MMS, refer to the guide <i>Maintenance Management Systems for Accredited Bus Operators</i> and other templates available from the TSV website.

Relevant persons

<i>Type of applicant</i>	<i>Relevant persons are:</i>
Individual	The individual who is involved, or takes part, in the management of the bus service to which the accreditation relates.
Body corporate A body corporate includes: <ul style="list-style-type: none"> An incorporated body A company within the meaning of the <i>Corporations Act 2001</i> (Cth) A co-operative registered under the <i>Co-operatives Act 1996</i> (Vic) including an association or federation An incorporated association incorporated under the <i>Associations Incorporation Reform Act 2012</i> A body corporate other than a company, co-operative or incorporated association 	<p>Company</p> <ul style="list-style-type: none"> Any director of the company; and any secretary of the company; and any other person who: <ul style="list-style-type: none"> o makes, or participates in making, decisions that affect the whole, or substantial part, of the business of the company; or o has the capacity to affect significantly the company's financial standing; or o 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, for example, senior advisors to the board). <p>Co-operative</p> <ul style="list-style-type: none"> Any director of the co-operative; and any secretary of the co-operative; and any other person who is concerned, or takes part, in the management of the co-operative, whether or not as a director. <p>Incorporated Association</p> <ul style="list-style-type: none"> The secretary within the meaning of the <i>Associations Incorporation Reform Act 2012</i> (Vic); and any member of the committee within the meaning of the <i>Associations Incorporation Reform Act 2012</i> (Vic); and any other person who is concerned, or takes part, in the management of the incorporated association. <p>Other body corporate applicant that is not a company, incorporated association or co-operative Any member of the committee of management of the body corporate.</p>
Partnership	Any partner who is involved, or takes part, in the management of the bus service to which the accreditation relates.
Unincorporated association or body	Any member of the committee of management of the association or body who is involved, or takes part, in the management of the bus service to which the accreditation relates.

Eligibility factors for accreditation

The Bus Safety Act 2009 (Vic) specifies strict eligibility requirements relating to criminal offences, previous bus operator registrations/accreditations and insolvency. In determining whether to grant your application for accreditation, TSV must consider these eligibility factors.

Criminal offences

The Act defines offences under three tiers (tier 1, tier 2 and tier 3). The Safety Director must refuse to accredit an operator of a commercial bus service or a local bus service if the Safety Director believes on reasonable grounds that the applicant or a relevant person:

- has been found guilty of a tier 1 offence (other than a specified indictable fraud or dishonesty offence) at any time before the application for accreditation; or
- has been found guilty in the 10 years before the application for accreditation of a tier 1 offence that is a specified indictable fraud or dishonesty offence.

For tier 2 and tier 3 offences, the Safety Director has discretion on whether or not to grant accreditation.

As part of this application all relevant persons (as defined on page 8) will need to undertake a National Police Record Check and provide a National Police Certificate. The certificate provided must relate specifically for bus operator accreditations and cannot be more than six months old. National police checks must be obtained from Victoria Police. Further information is available on their website www.police.vic.gov.au. When completing the purpose of check section on the police form, select option 1, choose the 'other' box and insert 'bus accreditation' in the space provided.

Previous accreditation

The Safety Director must refuse to accredit an operator of a commercial bus service or a local bus service if the Safety Director believes on reasonable grounds that the applicant has previously been accredited to operate a bus service and that accreditation was cancelled and the applicant is disqualified from obtaining accreditation for a commercial bus service or local bus service.

Insolvency

The Safety Director must refuse to accredit an operator of a commercial bus service or a local bus service if the Safety Director believes on reasonable grounds that the applicant:

- is a natural person and is an insolvent under administration within the meaning of the Corporations Act; or
- if the applicant is a corporation and:
 - a receiver or receiver and manager, within the meaning of the Corporations Act, has been appointed in relation to the applicant; or
 - the applicant has been placed in administration under the Corporations Act or under the law of any place outside Australia; or
 - a court has made an order under the Corporations Act for the winding up of the applicant.

If you require more information on how the eligibility factors relate to your bus service and circumstances, contact Transport Safety Victoria (TSV) on 1800 223 022.