

OPERATIVE PART:

1. Deed Poll

- 1.1. This document is executed as a deed poll.
1.2. The Minister has the benefit of this document and is entitled to enforce it against the Grantee even though the Minister is not a party to this document.

2. Undertaking of the Grantee

- 2.1. The Grantee unconditionally and irrevocably undertakes to:
2.1.1. notify the Minister:
2.1.1.1. if the Grantee transfers ownership of the Vehicle at any time within the Grant Period; or
2.1.1.2. in the event the Vehicle ceases to operate as a WAV for any reason whatsoever during the Grant Period;
2.1.1.3. in the event the Grantee ceases to have an association arrangement with the approved dedicated MPT dispatch service in relation to the Vehicle (or any other approved dispatch service that succeeds it as notified in writing by the Minister to the Grantee) at any time within the Grant Period; and
2.1.2. repay the Unexpired Portion of the Grant Funds within 2 weeks (10 business days) of the Minister's written request to the Grantee if any of the events in Clause 2.1.1 occur.

- 2.2. The Grantee's obligation under clause 2.1.2 is not dependent on the Grantee having actually notified the Minister of an event specified in clause
2.3. The Grantee's obligations in this Deed Poll only arise in the event that the Grantee's application for the Grant is successful.

3. Grantee's Acknowledgement

The Grantee acknowledges that if the Grantee does not comply with clause 2.1, the Minister may rely on this Deed Poll to recover the amount of the Unexpired Portion of the Grant Funds (or any lesser amount of those funds remaining outstanding) in a court of competent jurisdiction as a debt due to the Crown.

4. Governing Law

This Deed Poll is governed by the laws of the State of Western Australia and, where applicable, the Commonwealth of Australia. The Parties irrevocably submit to the exclusive jurisdiction of the courts exercising jurisdiction in the State, and any court that may hear appeals from any of those courts, for any proceeding in connection with this Deed Poll, subject only to the right to enforce a judgment obtained in any of those courts in any other jurisdiction.

5. Giving Notice

Each notice or other communication that may or must be given under this Deed Poll:

- a) must be in writing;
b) may be given by an authorised officer or solicitor of the Minister or the Grantee (as applicable); and
c) must be hand delivered, sent by prepaid post or emailed to the address of the recipient specified below:

NAME
[Text box]

HAND DELIVERY / POSTAL ADDRESS
[Text box]

SUBURB [Text box]
STATE WA POSTCODE [Text boxes]

CONTACT NUMBER
[Text box]

EMAIL
[Text box]

Minister

Department of Transport on the behalf of the Minister for Transport
Director On-demand Transport Policy - Intelligence and Education
GPO Box R1290, Perth WA 6844
ondemandtransport@transport.wa.gov.au

6. Interpretation

- 6.1. In this Deed Poll:
the phrase "ceases to operate as a WAV for any reason" does not include when the Vehicle is not being used for short periods for repairs or maintenance.
"Grant" means the grant referred to in Recital E.
"Grant Period" means 5 years beginning on the day that this Deed Poll is executed.
"Minister" includes a delegate of the Minister.
"Operate as a WAV" means to use the Vehicle as a WAV to carry passengers to provide an on-demand passenger transport service with an on-demand vehicle authorisation under the Transport (Road Passenger Services) Act 2018 giving priority to the carriage of wheelchair passengers. Giving priority to the carriage of wheelchair passengers includes, but is not limited to, declining the carriage of other passengers in favour of carrying wheelchair passengers each time the opportunity to do the latter arises.
"Unexpired Portion of the Grant Funds" means the amount of two hundred and fifty dollars (\$250) multiplied by the number of months left in the Grant period.
"Vehicle" means the vehicle specified on the first page of this Deed Poll.
"WAV" means an on-demand vehicle that is used or intended to be used for the transport of persons who have a disability and any wheelchairs or other aids required by those persons. This is the definition set out in section 278(2) of the Transport (Road Passenger Services) Act 2018. The requirements to lawfully operate a WAV include the compliance with the standards and requirements in regulations 18 and 19 of the Transport (Road Passenger Services) Regulations 2020.
"Wheelchair Passenger" means a person who travels in the Vehicle in a wheelchair used by that person.

EXECUTION CLAUSE OF INDIVIDUAL

EXECUTED AS A DEED POLL

SIGNATURE OF GRANTEE
[Text box]

SIGNATURE OF THE WITNESS
[Text box]

NAME OF WITNESS
[Text box]

EXECUTION CLAUSE OF COMPANY - #1

Executed as a deed poll in accordance with section 127 of the Corporations Act 2001 by:

NAME OF COMPANY
[Text box]

DIRECTOR NAME
[Text box]

DIRECTOR SIGNATURE
[Text box]

DIRECTOR/SECRETARY NAME
[Text box]

DIRECTOR/SECRETARY SIGNATURE
[Text box]

EXECUTED AS A DEED POLL

The Common Seal of:

NAME OF COMPANY

was affixed hereto in the presence of:

DIRECTOR NAME

DIRECTOR SIGNATURE

DIRECTOR/SECRETARY NAME

DIRECTOR/SECRETARY SIGNATURE

POSITION TITLE

No previous grant for this VIN in the last five years

Applicant eligible

ID confirmed

Modification quote received

AIS inspection confirmed

PTV authorisation confirmed

MPT grant register updated

BWC association confirmed (if applicable)

Application status

Approved

Not Approved

GRANT NUMBER ALLOCATED

NAME

SIGNATURE

DATE

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