



Department of
Transport

IMPROVEMENT NOTICE
VEHICLE

On-demand Transport
GPO Box C102, Perth WA 6839
EMAIL: ondemandtransport@transport.wa.gov.au

Notice No: **IMV 00000**

ISSUED TO

Name: _____ Licence/Authorisation No: _____
Business name/Trading as: _____
Address: _____ Suburb: _____ Postcode: _____

FOR VEHICLE

Registration No: _____ Authorisation Number: _____ Make/Model: _____

DETAILS OF THE CONTRAVENTION

It is my belief that you are contravening a provision of *Transport (Road Passenger Services) Act 2018* (the Act) or the *Transport (Road Passenger Services) Regulations 2019* (Regulations) as follows:

Section or Regulation Number: _____

Description: _____

How the Act or Regulation is being or has been contravened:

Location: _____

DIRECTIONS

I direct you to take the following measures to remedy or prevent contravention:

The measures you are required to take include any requirements specified under the heading "Evidence of Compliance"

RESTRICTIONS OR PROHIBITIONS THAT APPLY

- ☐ No restrictions or prohibitions apply.
- ☐ I direct that the use of vehicle _____, by any person to transport passengers for hire or reward is:
- ☐ prohibited, or
 - ☐ restricted as detailed below.

Restrictions: _____

Restrictions or prohibitions are in place until this notice is complied with.

EVIDENCE OF COMPLIANCE

- ☐ Evidence of compliance does not need to be submitted
- ☐ You are required to submit evidence of compliance with this notice to an Authorised Officer, on or before the compliance date shown below, at:
(location) _____, and between 8am to 5pm, Monday to Friday excluding public holidays.

COMPLIANCE DATE

The requirements of this notice must be complied with before: _____ / _____ / _____

AUTHORISED OFFICER'S DETAILS

Name: _____	AO number: _____
Signature: _____	Date: _____

Important information regarding this notice, including information about penalties for a contravention and in relation to appealing the decision to issue the notice, is contained overleaf.

RECORD OF SERVICE

Signature of recipient: _____

☐ Sticker also affixed to vehicle.

Description of service method: _____

Date of service: _____ / _____ / _____

Person notice served on: _____

Important information regarding this notice:

What happens if you do not comply with the Improvement Notice?

- Under section 211(1) of the *Transport (Road Passenger Services) Act 2018*, a person on whom an Improvement Notice is served must comply with the notice within the compliance period specified or any lawful extension of that period.
Maximum penalty in the case of an individual - \$5,000; in the case of a body corporate - \$25,000.
- Under section 211(2) of the *Transport (Road Passenger Services) Act 2018*, a person must not drive a vehicle for the purpose of transporting passengers for hire or reward or allow a vehicle to be driven for that purpose if the driving of the vehicle is prohibited under an improvement notice.
Maximum penalty in the case of an individual - \$12,000; in the case of a body corporate - \$60,000.

What to do if there is a mistake in the notice, or if you do not understand the notice

- The notice is valid – unless an Authorised Officer amends, varies or cancels the notice in writing, and you must comply with it.
- If there is any matter which is unclear or which you do not understand about this notice, or if you want to discuss it, you should first contact the Department of Transport on 1300 660 147 or at ondemandtransport@transport.wa.gov.au. In the meantime, you must comply with the notice.

Extension of time for compliance

An Authorised Officer may, by written notice extend the compliance period for the improvement notice. However, the Authorised Officer may extend the compliance period only if the period has not ended.

Reconsideration

As well as your right of review by the State Administrative Tribunal (outlined below) you may request a reconsideration under section 263 of the *Transport (Road Passenger Services) Act 2018* of the Authorised Officer's (decision maker's) decision to issue the Improvement Notice. Reconsideration is a free service. The time frame for the lodgement of a request for reconsideration is 28 days from the date of the Improvement Notice or decision you wish to have reconsidered (or a longer period if the Authorised Officer agrees).

A request for reconsideration of a decision must be made in writing and must include details of the decision that you want the Authorised Officer to make after reconsideration of the reviewable decision and outline why the decision-maker should make that decision.

The Authorised Officer (decision maker) must reconsider the decision within 28 days after the Department receives the application for reconsideration and –

1. confirm the decision; or
2. amend the decision; or
3. set aside the decision and make a new decision.

The Authorised Officer (decision maker) must notify the applicant for reconsideration in writing of:

1. the result of the reconsideration; and
2. the reasons for the decision made upon reconsideration if the Authorised Officer (decision maker) does not make the decision sought by the applicant.

Applications for reconsideration can be made to ondemandtransport@transport.wa.gov.au or GPO Box C102, Perth WA 6839.

NOTE: Compliance with the notice is due within the time specified on the notice and is NOT stayed (not suspended) while the reconsideration process is taking place after which you will be advised the result and the reason for the decision.

Review by the State Administrative Tribunal

In addition to your right to reconsideration as outlined above you also have the right under section 264 of the *Transport (Road Passenger Services) Act 2018* to apply to the State Administrative Tribunal for a review of either:

1. The decision to issue you with this Improvement Notice, or
2. A decision made by the Authorised Person (decision-maker) upon reconsideration.

An application to the State Administrative Tribunal for a review must be made within 28 days after you are notified of the decision which you are applying to have reviewed by the tribunal

Detail of how to make an application to the State Administrative Tribunal can be found at www.sat.justice.wa.gov.au or by calling 1300 306 017.