



Our Compliance Approach



Our Purpose

Our purpose is to work together for safer point to point transport in NSW.

The Commissioner

The Point to Point Transport Commissioner is the NSW regulator for taxis, hire cars, ridesharing and similar services.

The Commissioner's functions and powers

The Commissioner's functions and powers come from the *Point to Point (Taxis and Hire Vehicles) Act 2016 (the Act)*. These include the authority to:

- Administer authorisation and licensing for the industry
- Manage enforcement of the Act and Regulation
- Recommend safety and other standards for passenger services or booking services

- Assist in the determination of liability for, and enforcement of payment of, the Passenger Service Levy
- Advise the Minister on matters relating to passenger services and booking services
- Any other function conferred on the Commissioner under the Act

These functions have been delegated to staff in the Point to Point Transport Commission (the Commission).



We use a risk-based approach and focus primarily on the safety of services. The Commission works in collaboration with industry to ensure point to point transport operators manage risk and meet safety standards with flexibility and accountability.

Commission Outcomes

As the point to point transport regulator, we want to:

- Protect passengers, drivers and others from harm to health, safety and welfare
- Ensure transparent pricing of services
- Secure compliance with, and enforcement of, the Act and regulations in an open and transparent manner
- Achieve best practice and a consistent approach to the regulation of point to point transport across NSW

Guiding Principles

Five key pillars describe our guiding principles: responsiveness, accountability, engagement, support and our industry focus. Under each of these pillars you'll see our commitments and the actions we take to achieve them.

1. Responsiveness

- Work in partnership with the NSW community to provide quality regulatory services
- Recognise that when managing risk 'one size doesn't fit all'
- Be flexible and provide the most appropriate regulatory service to get the right outcome
- Consider the seriousness of the risk, injury or illness and any breach of laws, and respond proportionately
- Recognise effort and willingness to take positive action





2. Accountability

- Be fair and transparent and explain our actions and decisions, including those to do with enforcement
- Provide avenues for feedback, review and appeals
- If we make a mistake, we take responsibility and undertake to remediate

3. Engagement

- Actively engage with our stakeholders
- Listen, encourage input and involvement, and develop solutions through collaboration



4. Support

- Support our stakeholders to make sustainable improvements with or without our involvement
- Encourage and celebrate innovation and best practice
- Acknowledge that a collective commitment is the best way to improve safety



5. Industry Focus

- Promoting a culture of industry accountability is the focus of everything we do
- Strive to consistently deliver timely and effective regulatory services to assist industry to comply with the law
- Make it easy for people to do business in NSW
- Match our regulatory response to the circumstances; and continually review our practice by asking how we can improve outcomes for industry
- Enable communication, including through online technologies



We focus on education

We advise and inform stakeholders of their obligations under the Act, and collaborate with industry to ensure a common approach and understanding of safety management systems.

This education ensures stakeholders can meet the requirements of the Act with **knowledge, capability** and **confidence**.

We secure compliance

Where necessary, we take enforcement action, including:

- Issuing improvement and prohibition notices
- Issuing penalties
- Prosecution
- Taking action against authorisations and licences, which may include imposing conditions or cancellation

In deciding what enforcement action to take we consider:

- Seriousness of offence
- Time since offence
- Degree of culpability of the alleged offender
- Need for deterrence
- Prior history of an alleged offender
- Level of public interest
- Any mitigating circumstances

We use facts and evidence

To enable us focus on safety and reduce the burden on stakeholders, we:

- Make informed decisions based on evidence
- Use data and business intelligence for targeted prevention and intervention
- Evaluate our performance to ensure we meet objectives

We prioritise our efforts

We use evidence to make informed decisions about:

- Where to focus our efforts to target issues with the greatest risk
- The resources we commit
- The approach to employ to ensure compliance

We focus our efforts

Potential for harm, frequency and cost – we consult and collaborate with our stakeholders to prevent incidents that have a potentially severe social or economic consequence. We promote shared learnings and recognise people who deliver safe outcomes.

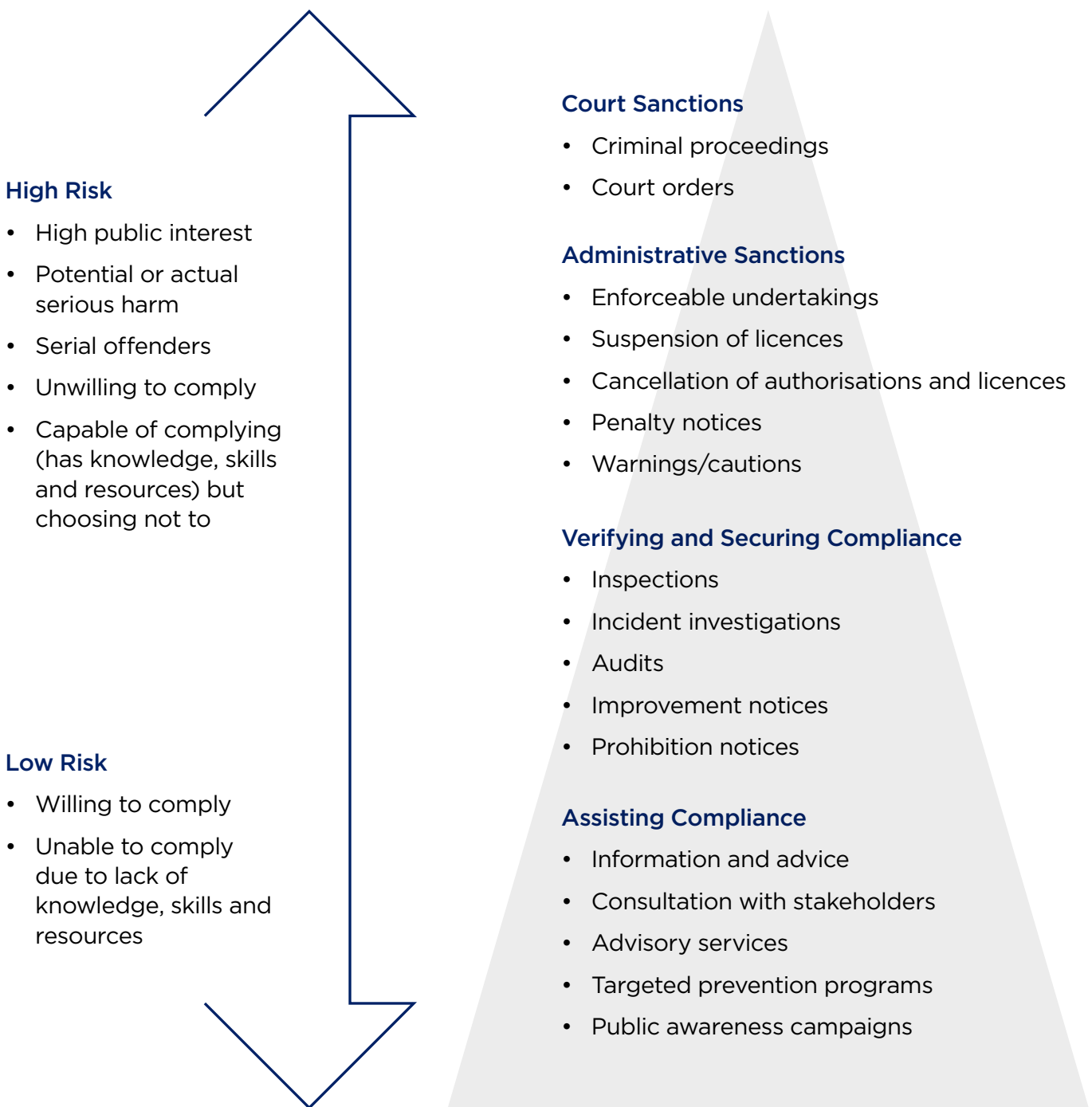
High consequence, low frequency – we work to prevent those incidents that do not occur frequently but have the potential for significant negative impacts on safety.

Emerging issues that are new and/or changing – we remain vigilant, focusing on issues as they arise.

Our approach to compliance

We undertake advisory, auditing and enforcement activities. The action we take can commence at any point along the compliance continuum, depending on the circumstances and taking into consideration the level of risk, public interest and due diligence.

Table 1: Compliance Continuum



Services we provide to assist industry to comply

Information and advice

- Regulatory advice
- Technical advice
- Statistical analysis and reporting
- Policies and procedures
- Fact sheets
- FAQs

Transparency and Accountability

- Review of decisions
- Appeal of decisions
- Reporting and statistics
- Client service charter
- Annual report

Authorisations, licences and levies

- Licence life cycle management
- Levies

Consultative mechanisms

- Consultative committees and industry/sector forums
- Regional outreach strategy
- Collaboration with other agencies such as NSW Police, Office of Local Government, Office of State Revenue, Office of the Small Business Commissioner and Roads and Maritime Services

Regulatory Response

- Advisory visits
- Audits
- Customer feedback



**Point to Point
Transport
Commission**

Sanctions

- Suspension or cancellation of licences or other authorisations
- Enforceable undertakings
- Court orders
- Criminal and other proceedings
- Referral to other agencies
- Penalty notices

Assistance services

- Industry Portal and Website
- Call centre and online contact
- Advisory services including focus on small to medium enterprises
- Risk management coaching forums

Prevention Programs

- Focus on high risk entities and significant harms
- Best practice workshops

Public Awareness

- Awareness campaigns
- Alerts
- Media releases
- Interviews
- Articles
- Website
- Seminars
- Conferences
- Industry newsletters