



Notifiable Occurrences



Taxi and booking service providers are required to report certain accidents or incidents associated with their operations to the Commissioner. These are called notifiable occurrences.

Service providers are required to report notifiable occurrences as soon as practicable after becoming aware of the accident or incident. Failure to report a notifiable occurrence is an offence under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* and can result in large penalties.

What is a 'notifiable occurrence'?

A notifiable occurrence can be:

- a. An accident or incident that results in an injury that is treated by an ambulance officer or results in the injured person being treated at a hospital
- b. A collision involving a vehicle being used for a passenger service* that is sufficient to prevent the completion of the journey in that vehicle
- c. A mechanical or other fault in a vehicle being used for a passenger service* that is sufficient to prevent the completion of the journey in that vehicle**
- d. An incident involving a driver, passenger or intended passenger of a vehicle being used for a passenger service* that results in a complaint to the police containing allegations of sexual assault, indecent exposure, actual assault or physical threats or other intimidation.
- e. An incident involving the conduct of a driver while driving a vehicle being used for a passenger service* that results in the driver being charged with a major offence within the *Road Transport Act 2013*.

*A vehicle being used to provide a passenger service includes: a vehicle being used to transport a passenger

or travelling to pick up a passenger or available for hire (available to take bookings); a taxi plying or standing for hire

**Only serious faults that render the vehicle incapable of being driven further are required to be notified.

The following would NOT need to be notified:

- Flat or blown tyres
- Head or tail lights out
- Flat battery
- Faulty air conditioning

When to notify

The Commissioner has adopted a common-sense approach to assessing whether a notifiable occurrence has been reported as soon as practicable after becoming aware of the accident or incident. This means notifiable occurrences must be reported as soon as is able to be done, after you become aware of the accident or incident, taking into account and weighing up all relevant matters.

No ability to contract out responsibility

Under the law, service providers cannot contract out of their duties and more than one person can hold a duty concurrently. This means where the incident involves two different service providers each service provider needs to report the incident.

Notification is core business

Reporting notifiable occurrences should be an integral part of a service provider's safety management system - with the information collected on the incident being used to check procedures for monitoring, reviewing, and revising the adequacy of existing controls. Attention should be given after any incident to making any improvements necessary.

Providing updated information to the Commissioner

There are circumstances where new and revised information comes to light after a service provider further examines or investigates an occurrence. For example, an injured hand may result in amputation. The worsening of the condition should be reported to the Commissioner. More information can be found at pointtopoint.nsw.gov.au and in the 'Duty of Care and Safety Management Systems' fact sheet.



How to report a notifiable occurrence

Notifiable occurrences must be reported via the [Industry Portal](#).

Part A	Notifying Organisation Details	Provide the details of the organisation notifying the Commissioner of the occurrence and the contact details of the person completing the form.
Part B	Occurrence Date/Time	Provide the date and time the occurrence happened. Be as specific as possible - providing either the exact time of the event or the closest approximation.
	Became Aware Date/Time	Provide the date and time you became aware of the occurrence.
	Occurrence Location	Be as specific as possible as to the location where the incident occurred. For example, at the corner of X St and Y Rd (insert suburb)
	Occurrence Category	Identify the category for the occurrence (refer to points a-e on previous page)
Part C	Occurrence Description	Provide a clear and complete description of the circumstances and outcomes of the occurrence based on the information available at the time of the notification. Include a description of the chain of events and specific information appropriate to the occurrence category. For example, details of the driver; vehicle registration and relevant passenger details. What were the nature of any injuries, and was anyone treated by ambulance/in hospital? What was the extent of the damage to vehicles, and were police called? Is there a police event report number/station where investigating police are based?
	Description of causes/ contributing factors	Describe any factors that may have contributed to the occurrence, or any other qualifying information if available at the time of notification. For example, was the driver fatigued or distracted; was there an extreme weather event; were there external factors such as a protest/faulty traffic lights; how long has the driver been with the service provider; is there any history of similar events; were any relevant factors covered in driver on-boarding?
	Description of follow-up actions	Describe any actions taken to reassess the risk and prevent a re-occurrence. What action has been taken in respect of the driver/vehicle/passenger? Has driver history been reviewed to identify any patterns which may be relevant? If a mechanical issue was involved, have vehicle maintenance records been reviewed? Have relevant parts of the SMS such as the driver on-boarding program been reviewed to determine whether any changes are required to decrease future risks?