



On-demand Transport Fact Sheet

On-demand Booking Services Association arrangements

On-demand passenger transport is where the hirer or passenger substantially decides the pickup and drop off locations and times of their journey. It can include a range of services such as taxi, rideshare and charter.

If you take bookings directly from a hirer or passenger, including taxi rank or hail work, you are an on-demand booking service (ODBS).

To comply with the *Transport (Road Passenger Services) Act 2018* and avoid penalty, you must either:

- become an authorised ODBS; or
- have an association arrangement with an authorised ODBS.

What is an association arrangement?

An association arrangement is a specific written agreement between two booking services. It is most relevant where one of the booking services is a business who dispatches or otherwise facilitates jobs for the driver and the other is the driver who takes bookings directly from their own clients.

An association arrangement must outline which booking service is the **principal booking service** and which is the **associated booking service**.



What are the responsibilities of a principal booking service?

The principal booking service is responsible for:

- preparing, reviewing and maintaining an up-to-date safety management system;
- keeping records related to drivers, vehicles, bookings and booking requests;
- preparing and making available a complaints resolution procedure;
- keeping records of customer complaints; and

It is up to the principal booking service and associated booking service to agree upon responsibility for other tasks related to the business of running a booking service.

IMPORTANT: If an ODBS that is dispatching work to you does not wish to provide an association arrangement that covers all of your services (such as private jobs), you must apply to become an authorised ODBS in your own right to ensure all your work is covered.

What needs to be in an association arrangement

To meet the requirements of the Act, an association arrangement must:

-  be a written agreement between two ODBS providers;
-  state the names of the two parties to the agreement (the authorised principal booking service and the associated booking service);
-  identify which of these parties is the principal booking service (the authorised booking service) and which is the associated booking service (the driver);
-  clearly describe the services provided by the associated booking service, which are covered by the agreement (e.g. the rank or hail bookings that the associated driver completes in a vehicle with livery and a meter for the principal ODBS); and
-  include an acknowledgement by the principal booking service of their responsibilities (outlined above).

Any association arrangement that starts after 1 July 2020 must also include:

-  the date on which the agreement started; and
-  the term of the agreement (which may be ongoing or until a set date).

Record keeping

Both the principal ODBS and the associated ODBS must keep copies of their association arrangement from the date it is signed until at least two years after it has ended.

Both booking services must produce copies of the current and previous association arrangements for inspection to a DoT Authorised Officer if requested (for example, as part of an audit).

For all current and previous association arrangements, including those entered into before 1 July 2020, the principal (authorised) ODBS must also keep records of:

- the date when each association arrangement starts and ends;
- the name and contact details of the associated ODBS; and
- if the association arrangement has ceased, what date it ceased.

Infringement penalties of \$1,200 for an individual or \$4,000 for a body corporate apply.

Association arrangement tips for principal booking services

Association arrangements provide detail about what services that the principal booking service is willing to take responsibility for and which they are not. It is important that there is enough detail to clearly articulate where responsibilities lie.

Consider the following situations as examples:

- The principal booking service is responsible for keeping booking records. The association arrangement covers all bookings, even those that a driver might not report to the principal booking service. The principal booking service is still responsible for keeping booking records, even if bookings are not reported by the driver.
- The principal booking service is responsible for managing safety risks such as fatigue. If the association arrangement doesn't require the driver to log on and off at the beginning and end of shifts, this is difficult to do.

You may want to consider including specific details in your association arrangement to cover these kinds of situations. This may include things like:

- mandatory use of a meter or fare device when completing trips;
- requirement for drivers to log on and off;
- requirement and process for drivers to report booking details;
- restrictions on covering private bookings or rank or hail bookings; and
- restrictions on the times or locations the arrangement covers.

Specific details of what is required in an association arrangement are included in the *Transport (Road Passenger Services) Regulations 2020*, available on: www.legislation.wa.gov.au

Do you need an association arrangement?

Type of service provided	Do I need association arrangement or my own ODBS authorisation?
On-demand Rank or Hail (taxi)	
I only take work via a dispatcher or app network that I am affiliated or partnered with.	No. The dispatcher or app network is facilitating the booking and will need to be authorised as an ODBS.
I take work via a dispatcher or app network I am affiliated or partnered with and I also accept work through rank or hail or private arrangements.	Yes. You either need an association arrangement with the dispatcher or app network to cover this work, or your own ODBS authorisation.
I only accept rank or hail work or jobs through private arrangements.	Yes. You either need an association arrangement with the dispatcher or app network to cover this work, or your own ODBS authorisation.
On-demand Charter	
I only take work from a charter/rideshare company either as an employee or freelance driver.	No. The charter or rideshare company is facilitating the booking and will need to be authorised as an ODBS.
I take work from a charter/rideshare company either as an employee or freelance driver and I also take my own private bookings from clients (unconnected with the charter/rideshare company).	Yes. You either need an association arrangement with the charter/rideshare company to cover this work, or your own ODBS authorisation.

Note: There are heavy penalties for providing an on-demand booking service without authorisation or an association arrangement.

On-demand Transport, Department of Transport, Western Australia

Tel: 1300 660 147 · Email: ondemandtransport@transport.wa.gov.au · Web: www.transport.wa.gov.au/ondemandtransport

The information contained in this publication is provided in good faith and believed to be accurate at time of publication. The State shall in no way be liable for any loss sustained or incurred by anyone relying on the information.

Last modified: 21 December 2021