

# Fact Sheet

May 2023

## Providing Free Transport in Conjunction with Photo Shoot or Static Display

Under the *Transport Operations (Passenger Transport) Act 1994 (the Act)*, the operator of a public passenger service may (depending on the service being provided) be required to hold Operator Accreditation (**OA**), or a Booking Entity Authorisation (**BEA**). The operator may also require a Booked Hire Service Licence (**BHSL**), a Taxi Service Licence (**TSL**) or a Limousine Licence (**LL**) depending on the nature of the service or vehicle used.

Drivers of public passenger services are required to hold Driver Authorisation (**DA**).

The Act defines a *public passenger service* as a service for the carriage of passengers if:

- a) the service is provided for fare or other consideration; or
- b) the service is provided in the course of a trade or business (but not if it is provided by an employer solely for employees); or
- c) the service is a courtesy transport service or community transport service;

and includes a driver service but does not include a service excluded from this Act by a regulation.

Operators providing free transport as part of a package with a photo shoot or static display of a vehicle are providing a public passenger service. We do not consider this type of service a courtesy service if the free transport component is only available if a person pays the package fee. Accordingly, operators providing these types of packaged services are required to hold the appropriate legislative authority and drivers must hold DA.

Safety is our priority. Passenger Transport Licences, OA, BEA, and DA provide protection for passengers, as they include suitability checks on operators and drivers, and regular safety inspections on vehicles. Requiring the accreditation and licensing of operators reduces the risks to passengers from a customer service, insurance, and safety perspective.

There are some restrictions on the types of vehicles that can be used to provide public passenger services. Operators are responsible for ensuring compliance with their regulatory requirements.

For further information, you can contact your nearest Translink passenger transport office, visit the TMR website at [www.tmr.qld.gov.au](http://www.tmr.qld.gov.au), or call 13 QGov (13 74 68).

### Translink Passenger Transport Offices

<b>Cairns</b>	<b>4045 7099</b>
<b>Carseldine</b>	<b>3863 9848</b>
<b>Ipswich</b>	<b>3813 8686</b>
<b>Mackay</b>	<b>4951 8673</b>
<b>Maroochydore</b>	<b>5452 1800</b>
<b>Maryborough</b>	<b>4122 6112</b>
<b>Rockhampton</b>	<b>4931 1537</b>
<b>Roma</b>	<b>4622 9509</b>
<b>Southport</b>	<b>5585 1856</b>
<b>Toowoomba</b>	<b>4639 0804</b>
<b>Townsville</b>	<b>4758 7544</b>