

# Bailment Agreement Consultation 2018

Item	Issue/Submission	Group
1	Bailments will not work as operators will force drivers into arrangements outside of the written agreement.	Drivers
2	Industry's perception of a management arrangement i.e. industry sees a management arrangement to be subleasing and therefore the Department encouraging the legal subleasing of taxis.	Drivers Operators Networks
3	Alice Springs drivers have stated DIPL is legalising subleasing through management agreements.	Drivers
4	Request for Government to mandate driver/operator split or set fixed price fee for each shift.	Drivers
5	Request for Government to mandate operators only have one taxi CVL.	Drivers
6	Request for Government to mandate that operators must drive their taxi on a regular determined shift e.g. one shift per week. Exemptions available to those with medical issues and unable to drive a CPV.	Drivers
7	Managers should only be available to operators who have more than one taxi CVL.	Drivers
8	Can drivers be advised when operators are being investigated.	Drivers
9	Can networks be made aware of pending DIPL actions to suspend / cancel taxi CVL - this is to prevent reduced numbers operating under the network to ensure continuity of service.	Networks
10	Request for Government to mandate that operators must reside in the same region as where their taxi is operated.	Drivers
11	Concerns that bailment agreements will not remain confidential i.e. % split and fuel agreements may vary between drivers and same operator.	Drivers Operators Networks
12	Add further condition that a driver can not drive a shift for one operator then another within previous 12 hours.	Operators
13	Networks need to register each bailment agreement to ensure driver/vehicle allocation is covers.	Networks
14	Can Department prevent networks from allocating higher paying fares to own vehicles/favourite operators.	Operators Drivers
15	It is unfair that fines have increased for drivers, but not operators which have received substantial reduction in CVL fees.	Drivers
16	Request for a cap to be applied to taxis in Katherine.	Operators Networks
17	Can industry increase the notification times in the model agreement e.g. minimum notification time to terminate the agreement from prior to the shift commencing to seven days.	Drivers Operators Networks
18	Insurance excess can be more complicated than a single figure as it depends on how many claims.	Operators
19	Do we have to have multiple bailment agreements or adjust an existing one everytime the driver does a different shift e.g. the day driver may elect to work a particular night instead of the day.	Operators Drivers
20	If I have to get a fill in driver urgently for a shift do I need to do a bailment agreement first.	Operators
21	How will the Department prevent subleasing operators from pre-signing multiple bailment agreements which can be held by the sublessee.	Drivers
22	Can the Department clearly define subleasing.	Drivers
23	Can operators insert additional conditions into the agreement to cover off other matters such as fatigue and operational matters.	Operators
24	I only have one driver for my vehicle and I leave my vehicle with my driver when he is not driving - can I still do this.	Operators

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25	What happens if my taxi gets a flat tyre - I usually get the driver to get it done straight away to get back working as quick as possible.	Operators
26	Some drivers regularly change shifts or are engaged on a casual basis with no set shifts. How can we show this in the bailment agreement.	Operators Drivers
27	If I operate several taxis, if a driver drives several of my vehicles do I need a bailment agreement for each vehicle with this driver.	Operators
28	Does the sub taxi operator have to have a bailment agreement with my driver - who is responsible where I use another operator's sub taxi.	Operators
29	15 hours per shift is too long for a shift.	Drivers
30	How will the Department stop the sublessee and operator setting up a bank account under the operator's name which will be used by the sublessee and would appear to an audit to be that of the operator.	Operators
31	How does the Department expect to audit industry to ensure the operator is paying the bills e.g. the manager can pay for the bills and then write a fake invoice to the operator.	Operators Drivers
32	Ceasing the practice of subleasing will require significant adjustment within industry as it is widespread (Darwin). Some sublessee's have borrowed substantial amounts of money to pay for vehicles and would suffer financial hardship if they lost their subleased licence - will Government provide leeway on current subleases until the review in 2020.	Operators Drivers Networks
33	Can the Department provide networks with forewarning on licence cancellations as reducing the taxi fleet, even for the short term, may impact on operational costs which would be more difficult to deal with without time to adjust.	Networks
34	If the Department cancels any licence due to subleasing, can the network continue to operate the taxi licence until it is reallocated through the ballot.	Networks
35	How will the Department ensure all consultation comments have been received and made available to decision makers.	Drivers Operators Networks
36	Can the Department stop a person from managing several taxis for different operators.	