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11.1.10  
#149

Submission No. 149  
11.1.10  
18 October 2015



18/10/2015

Dear Infrastructure, Planning and Natural Resources Committee

*I have written a submission in support of the Transport Legislation (Taxi Services) Amendment Bill 2015 introduced by KAP Member for Mt Isa Rob Katter, the first in Australia to table legislation against the ever growing illegal taxi industry.*



*I hereby request that you do not publish the personal, private story I have told..*

*I have no concerns if you publish the bold printed sections and the Items 1 – 5 of my submission.*

*Yours sincerely*



*Lesley Hardy*

RECEIVED  
20 OCT 2015  
IPNRC

[REDACTED]  
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17/10/2015

Dear Infrastructure, Planning and Natural Resources Committee

*I am writing in support of the Transport Legislation (Taxi Services) Amendment Bill 2015 introduced by KAP Member for Mt Isa Rob Katter, the first in Australia to table legislation against the ever growing illegal taxi industry.*

***Ineffectual action by the NLP and now the ALP - fines which enriched the government coffers but do nothing to halt Uber's growth – have left me in a dire financial situation.***

***The Queensland Taxi Industry is made up of over 15,000 small business operators including more than 2,800 private owners, many of whom are “Mum and Dad “ owners or retirees, who have invested their life savings in a taxi licence.***

***All generate jobs for Drivers and Staff, PLUS they all pay Taxes and Fees (Stamp Duty, License, Accreditation and Taxi Security).***

***They must all feel betrayed by the State Government.***

***Please read ITEM 1 “Uber needs to play by the rules” published in the Australian Financial Review 08/10/2015. I think Mr Reg Lawler makes some good points.***

Please read ITEM 2 "Take a Look at the Smart Way to Book" from Black & White magazine. I am sick of hearing that Uber has all this new digital technology. The Taxi Industry brought in these changes in 2009 and provide all the phone Apps. and the ability to pay by Credit Card, what they lack is an even playing field. Uber started in 2012.

Please read ITEM 3 "With Compliments for Community Corporate and other services". Published in every Black & White magazine. Uber is a multinational company only interested in working in peak periods (this is known as the "cream") not in providing the public a 24 hour / 365 day service.

Please read ITEM 4 "Uber, Airbnb send profits offshore". A.F.R. 08/10/2015 This confirms that Uber's untaxed profits go off shore.

Please read ITEM 5 "Doc Holiday answers your travel questions". This is just one example of the misinformation Uber is feeding the public via the media (TV, News Papers, Radio programs).

Journalists no longer check their facts before releasing a story.

"Drivers must pass a multi-level security check and vehicles are inspected by a third-party accredited vehicle inspection company" ?

With their large turnover of casual drivers I very much doubt it.

Private Car Insurance is invalid if said car is used as an illegal Taxi.

Compulsory Third Party Insurance cover is invalid with an illegal Taxi

***I believe this Bill does not go far enough, the only way to attack uber is to focus on the Driver and their private car.***

Inform the Public of the risks – No CTP insurance cover, no driver police checks

- Issue increasing license demerit points for re-offenders
- Issue increasing FINES for re-offenders
- **IMPOUND** their private Car – it is being used illegally and is a danger to any fare paying passenger. **This could be the best deterrent.**
- Collecting GST is a good start, giving the driver's Name and Address to the Tax Department to follow up for their evasion of income tax, another good idea.
- The Public keep sighting cheap fares for using uber, how can the Taxi Industry compete when they pay their Taxes and Fees and obey the regulations?
- The public and government should be aware of what will happen if the Taxi Industry is destroyed and unregulated Uber Taxes have free rein to charge unchecked high fares, with a complete disregard to the Safety of its customers.

*Yours sincerely*

  
*Lesley Hardy*

ITEM 1

## Uber needs to play by the rules

LETTER TO FINANCIAL REVIEW - 8th October 2015



For many years governments in Australia have sold exclusive or limited rights to do certain things. The right to use water, run a lottery, run a casino, catch fish for profit, operate a TV station, use radio frequencies or carry passengers in a car for profit have all been sold to individuals and companies. The licences have become valuable property. Often the increased value of the licences has been a windfall to the government.

If a company decides to break the law, or facilitate others breaking the

law, by providing these services without a licence, what is the proper thing for the government to do? If the law is changed, the property of licence holders loses much or all of its value.

The idea that a government sells a right and then takes away the value of that right does not seem fair. If there is no case for the present system of licensing taxis, then the present licence holders should be compensated for the loss of value. They believed that the government would keep its bargain. It is not just a case that technology

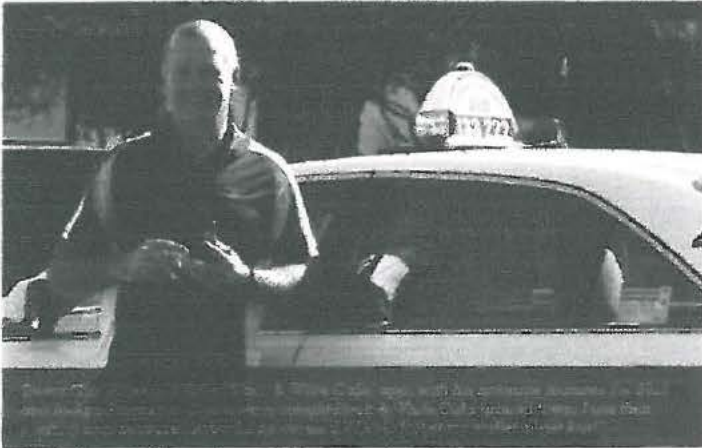
overtook them. Their exclusivity has been broken, not just by technology that may be better, but by a company, Uber, that disregards the law because it is inconvenient. But the ACT government's compliance with the wishes of Uber proves how, in the digital age, commercial corporations control governments and the idea of elections and all the "public will" have little relevance.

Reg Lawler  
Dagun, Qld



### Take a Look at the Smarter Way to Book!

AS TODAY'S TECHNOLOGY CHANGES AT A PACE MORE RAPID THAN EVER SEEN BEFORE, SO TOO DO OUR PASSENGERS' NEEDS FOR SIMPLE, RESPONSIVE AND INNOVATIVE BOOKING SYSTEMS.



With the taxi industry firmly at the forefront of innovation, the latest smart booking technology is now not only desired, it's expected. Black & White Cabs has answered this need with the simple, user-friendly, free Smartphone Booking App for iPhone, Android and Windows phone.

#### The Black & White Cabs Booking App - Loaded with Features

We've listened to the passenger feedback, continued to improve our Booking App and we're excited to show you the top five reasons why the Black & White Cabs Smartphone App is the 'smartest' way to book:

##### 1. Cashless, cardless In-App Payments

In-App fare payments make catching a Black & White Cab simple – no cash or cards required. Our secure payment system is verified by security code and we'll email the user a receipt once their transaction is complete.

##### 2. iMail lets us know where you are... even if you don't

To book using iMail, just open the Black & White Cabs Booking App and our real-time GPS locator will pinpoint your position on the home screen map. Simply confirm your location, press 'Book Taxi' and the first available cab will be sent to you.

##### 3. Track your cab on its way to you

Users are able to watch their cab proceed all the way to their door, in real-time, with our convenient LIVE Tracking via the inbuilt map and using the cab's GPS location.

Our system provides the assigned cab number and will continually update the ETA, so users always know exactly which cab is theirs and when it will arrive.

##### 4. Fare estimator for peace of mind

Now users can estimate the cost of their journey in the app with the touch of a button. By simply choosing 'Estimate Fare', the approximate cost of the trip is displayed with and without the inclusion of toll roads as applicable.

##### 5. Stay in the loop with alerts

Stay updated on every stage of the booking process with alerts. Users will be notified when a cab has accepted the booking and the cab is on its way. With the choice of automatic SMS on Approach or Email on Approach we'll let you know when your cab is just around the corner.

Our full-service Smartphone App booking system offers users the same booking options experienced if dialling our friendly Call Centre... and then some!



#### Get the Black & White Cabs Booking App on Your Smartphone now!

The Black & White Cabs App is available for download from the App Store for iPhone, Google Play for Android phone and the Windows Store for Windows phone.

Simply download it from the app store, register your email address and start booking – simple!

#### It's easy to book a Black & White Cab

Our full-service Smartphone App booking system offers users the same booking options experienced if dialling our friendly Call Centre on 133 222 and you can use your Smartphone App login to access our Web Booker online at [blackandwhitecabs.com.au](http://blackandwhitecabs.com.au). The app does it all, no matter what your request! ●



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FAX NO: (07) 3855 9771  
EMAIL: [mick@rhinofinance.com.au](mailto:mick@rhinofinance.com.au)



## With Compliments

– FOR COMMUNITY CORPORATE AND OTHER SERVICES

### Community Corporate Service

A Brisbane City Council staff member passed on a compliment from Ms P, a Council Cabs' passenger. Ms P was very pleased with the Council Cabs service, stating that the drivers were great, always punctual and assist her to carry her shopping to her door. She tells everyone about the service and encourages her friends to sign-up for Council Cabs.

Mr and Mrs E. pass on their thanks for the wonderful service that the Council Cabs drivers provide. Mrs E. is in her nineties and finds that the drivers are always helpful and courteous.

Miss D. from Nambour Hospital Transport Hub, a Community Corporate client, expressed appreciation at the wonderful effort of driver Ruby K. of 1006 when transporting a nurse back from the Lady Cilento Hospital to Nambour. The nurse was very impressed with Ruby's attitude and behaviour throughout the trip.

Another compliment was received for driver Ruby K. of 1006 from DVA passenger Mr D., who complimented Ruby on being "very conscientiousness and a cheerful chap who did an excellent job of looking after me."

The Queensland Manager for Veteran Transport Services (from the Department of Veterans' Affairs) called to thank Leslie J., the driver of 1678, for going above and beyond to assist a DVA passenger home safely during recent flooding across Brisbane. Leslie stayed with the passenger until midnight when they were finally able to make it through a cleared route home.

The driver of Car 1990, Elaine J. did a wonderful job of remembering a conversation with her DVA passenger. Elaine found a theatre re-enactment prop in her car and recalled her passenger Mr G. discussing it. Realising who the prop belonged to, Elaine then took time out of her day to return

the prop to the passenger. Mr G was "extremely grateful as the prop cost a lot of money". He said that Elaine "is a wonderful driver and must be recognised for this wonderful deed".

### Others

The driver of car 225 was thanked by his passenger for being the "friendliest cab driver" he's ever travelled with.

Amiri S. of car 335 was praised for being kind and thoughtful when he waiting for his passenger to arrive at her front door safely. The passenger said that it was a "lovely" gesture from Amiri.

A corporate client called to thank the driver of 2109 for taking materials from Eagle Farm Racecourse to Homeless Connect. The driver assisted loading and unloading the goods. The passenger said that they will only be calling Black & White Cabs from now on.

After travelling in cab 1878 with driver Balroop S., Mr G. commended the driver on his immaculate vehicle, his excellent driving skills, stating that he "added a lot of value to Black & White Cabs."

Driver Joshua D. received a compliment from Black & White Cabs Query Staff. The driver was extremely helpful in assisting fellow taxi drivers involved in an accident.

A visually impaired passenger called to thank Sarbjit S. the driver of car 493 for providing friendly assistance on a recent booking.

A motorist was pulled over on the M1 with a flat tyre when both the driver of Black & White Cabs' car 626 and car 170 pulled over to offer assistance. Car 626 was first on the scene and helped to change the driver's tyre. The grateful motorist said that "these drivers are such an asset to Black & White Cabs."

Vikas of cab 1889 received a compliment from

his regular school student passenger. The student commented that Vikas was always on-time to pick her up and deliver her to her home.

The driver of car 3051, Majit G., did an exceptional job helping a passenger who has a disability. He insisted on loading all of the passenger's groceries into the vehicle, and even took the groceries into the passenger's kitchen upon arrival. The passenger was very appreciative of the drivers "excellent service."

Mr W. phoned to applaud Varinder S. of car 975 on his expert driving skills. Mr W. reported that he witnessed a truck almost collide with Varinder's vehicle, but with his quick thinking and ability to manoeuvre, Varinder prevented a possible catastrophe. Mr W. congratulated Varinder on his impressive driving ability and for looking after everyone on board.

Amit D. of car 122 went above and beyond the call of duty when his passenger missed his train. Amit preceded to drop-off the customer to their destination free of charge. The customer said Amit was "just incredible" for his kind gesture.

A passenger rang to compliment Black & White Cabs on four separate bookings she took within one day. The passenger stated that all four bookings were completed perfectly and looks forward to becoming a "regular passenger in the future."

Kamalpreet S. of car 200 found a passenger's lost passport at the end of his shift. He used his personal car to return the passport to the passenger's home address in Enoggera but the passenger had already left for the Airport. Noting the importance of the lost property, Kamalpreet drove immediately to the Airport to return the passenger's property. Kamalpreet was commended by the Call Centre for going out of his way to assist the passenger, who was extremely grateful to have her passport back. ●

## Customer Delight

Jaskaran Dhesi	2315
Kanwalpreet Singh	2125
Teng Leo	731
Elaine Baily	170
Benjamin Holtham	29
Munish	1157
Ruby Kalra	1006
Sarbjit Malhi	2249
Hossein Kiani	602
Keith Bruun	88
Manjeet Singh Garha	3051
Gurdeep Sidhu	1982
Raheel Ansari	588
Satwant Mann	591
Novica Padjen	641
Tony Khangura	2267

Gurwinder Singh	1792
Pritpal Singh Grover	1026
Serkan Karaduman	982
Kuljeet Singh Godara	1970
Jaskaran Singh Dhesi	2315
Gary Alan Butcher	141
Bruce Rounthwaite	2444
Robin Verma	2379
Saqib Khan	4016
Gurvinder Singh	319
Avneesh Kumar	3038
Harvinder Singh	451
Lee Killer	337
Bharpinder Singh	272
Karamur Singh	544
Rahul Soni	53

Sanjeev Kumar	623
Masoud Mohammadzadegan	2003
Rodney Shearing	294
Gourav Gourav	218
Arandeep Singh	23
Jaspreet Singh	972
Vipulkumar Gajjar	599
Harmandeep Singh	345
Serkan Karaduman	982
Bakhtaur Singh	145
Sukhdeep Singh	5061
Garry Slattery	1177
Kush Ghai	2201
Laneselota Solo	258
Sukhminder Singh	2700



# UBER, AIRBNB SEND PROFITS OFFSHORE

ITEM 4.

UBER, AIRBNB send profits off shore.

A.F.R. 8/10/15

Nassim Khadem

Uber and Airbnb have revealed in submissions to a federal inquiry that they route profit through companies in the Netherlands and Ireland, where taxes are lower.

Uber and Airbnb have told a Senate corporate tax avoidance inquiry that while they comply with Australian tax laws, their Australian operations merely provide support services to parent companies based in the Netherlands and Ireland respectively.

Labor Senator Sam Dastyari, who is chairman of the inquiry – before which Uber and Airbnb could both be hauled – said as new sharing economy services emerged it was vital to get the tax settings right.

"It is alarming when a company is evidently sending untaxed revenue to the Netherlands or Ireland earned from services delivered in Australia," he said.

"The corporate structure of a company held by a parent in a low-tax jurisdiction such as the Netherlands or Ireland is cause for concern.

"Australia cannot be a spectator as profits are simply shifted overseas through clever accounting methods."

Uber's director of public policy Brad Kitschke said in the submission that since Uber was "a private company still in the early-investment stage, unlike listed companies [it] does not provide detailed public accounts".

Uber Australia was a wholly owned subsidiary of Uber International Holding BV, which was based in the Netherlands, he said.

And Uber BV was in turn an indirect wholly owned subsidiary of Uber Technologies Inc.

The head company, Uber BV, was "responsible for the management of our international operations, including our business strategy and development, and financial investments and engineering", he said in the submission.

Uber BV's management team set the business objectives for the Australian market, which were then supported by

Uber Australia. But Uber Australia provided only "certain support services, such as local marketing promotions to potential riders and drivers, and to Uber BV".

"Uber BV pays Uber Australia for the performance of those services," he said. "Uber Australia complies with all relevant Australian tax obligations."

Such tax structures, which have been legal under international laws so far, could be changed as governments around the world begin implementing the final Organisation for Economic Co-operation and Development plan against profit shifting, known as Base Erosion and Profit Shifting, which was released on Monday.

It also used the business lobby argument that under the plan Australia could lose out to other nations such as China in the taxing of its resources.

"Almost every country in the world would like more tax revenue for their treasury," Mr Kitschke said in the submission.

"But if the laws being suggested here in Australia were imposed on Australian companies operating abroad – for example in China – the taxes paid by those companies overseas would rise and the tax paid locally would fall."

"It's why an international approach to corporation tax reform is needed, and why the OECD effort, which is inclusive of non-OECD countries such as China and India, is the best venue for addressing these issues."

Treasurer Scott Morrison on Wednesday said the Coalition had given the Australian Taxation Office \$86 million to go after multinationals and introduced legislation into Parliament that boost anti-avoidance provisions. "We were ahead of the curve in terms of the initiatives that were announced by the OECD and I think we are making great progress," Mr Morrison said.

Airbnb's Australia and New Zealand manager Sam McDonagh said "Airbnb also complies with all Australian tax laws and pays all required taxes".

But Mr McDonagh also confirmed that "Airbnb Australia is a wholly owned entity of Airbnb Ireland".



Uber drivers who do not pay GST should be prepared for a call, text or letter from the Tax Office. PHOTO: BLOOMBERG

## ATO targets ride-sourcing drivers

Nassim Khadem

Uber and other ride-sourcing drivers are being warned by the Australian Taxation Office to declare their income and pay GST before the end of the month, or they could face audits next year.

The ATO has launched a data-matching program for "ride-sourcing" drivers such as Uber, which employs about 15,000 drivers in the country.

The Tax Office in May issued guidance on sharing economy services. This clarified that Uber drivers could no longer avoid GST payments by arguing they fall under the \$75,000 turnover threshold at which GST applies.

The Tax Office said as part of its data-matching program it would analyse data from financial institutions and identify drivers that earned income from driving for Uber and similar ser-

vices. It is looking at about 15,000 records, but not all will equate to individual drivers.

Initially the data will allow it to directly get in touch with drivers offering ride-sourcing services to make sure they are aware of their tax obligations including GST registration, lodgment, reporting and payment responsibilities. Communication with drivers will be through letters, SMS and phone calls.

"We prefer to take a prevention before correction approach and provide people with the help and assistance they need to meet their obligations in order to avoid possible correction or compliance action later," ATO senior assistant commissioner Michael Hardy said.

"Many may be new to the GST system or may not be aware of the need to register, so we want to directly write to them and provide tailored information

and advice in time to meet the deadline."

But if people fail to register and lodge their business activity statement or report their income in their tax returns, they could face penalties. They will be asked to pay the additional amount including GST, and also could be hit with penalties ranging from 25 per cent to 75 per cent of their usual tax bill.

Mr Hardy said the audits would not take place until next year, and were not a "revenue-raising exercise" but rather to ensure people were complying with the law. Those that were not would have to be "brought back into line".

"In publishing our advice around ride-sourcing and in undertaking data matching, we have sought to help drivers understand what they need to do to meet their obligations, and ensure that drivers doing the right thing are not facing unfair competition," Mr Hardy said.



# ITEM 5

[www.Couriermail.com.au/travel\\_advice/doc-holiday-answers-your-travel-questions/story-fnjv](http://www.Couriermail.com.au/travel_advice/doc-holiday-answers-your-travel-questions/story-fnjv) 721-1227388427375

## Doc Holiday answers your travel questions

• *Kim Culyer Escape* June 14, 2015 12:00AM **DOC HOLIDAY**

**WE ARE travelling to Melbourne soon and want to know your thoughts on using the new transport system called Uber? Friends have used it without any problem but I feel a bit unsure of what it's all about.**

**Doc:** Uber ([www.uber.com](http://www.uber.com)) is an on-demand transport service accessed via an app on your smartphone. Instead of hailing a cab at a taxi rank or from the side of the road, you simply book a car to pick you up via the app.

Firstly you need to sign up and this includes giving Uber your credit card details. The beauty of this is it provides a safer cashless option, and you and most importantly, your children will never be caught again without enough cash to catch a taxi home. The trip is logged via GPS to the Uber control centre and billed to your card at a per kilometre rate.

Every ride is tracked and monitored and you are encouraged to rate your driver and his vehicle at the end of the trip. Any discrepancies in the fee, including traffic conditions, or if you think the driver took a longer than necessary route can easily be checked by the control team.

If you are riding with friends, there is a handy section on the booking, which will split the bill to several credit cards.

There's several classes of car available to be booked, and this is very handy to know. The UberX vehicle is a 'standard private vehicle' and the cheapest.

The Uber Black uses existing hire car drivers and their vehicles, and the Uber Lux offers high end luxury chauffeur drive. There's also SUV's, wheelchair friendly and large multi-person vehicles.

About the cars and the drivers; all drivers are over 21 and must pass a multi-level security check, and there is a rating check and feedback system, which quickly identifies and removes those who aren't suited to the position. Every driver must hold relevant insurance and every ride is covered by Uber's contingent liability insurance

The rider is provided with a name, rating, photo and number plate of the car and can track the vehicle on a map at any time, and share this with a friend in real time.

The vehicles are inspected by a third-party accredited vehicle inspection company, must be four door, and be of less than nine years in age.

Fare estimates are available and a detailed receipt with a fare breakdown, route map, driver details and referral code are emailed after each ride.

There are no anonymous passengers, drivers or street hails, making it a safe option for driver and guest.

In my opinion, it's a great service, one desperately needed and welcomed by Australians, and I think it will give our large city taxi companies the well overdue shake-up they most certainly need.