

Fact Sheet

August 2016

Taxi & Limousine Service Licence Transfer Requirements

Background

- In accordance with sections 54 and 98 of the *Transport Operations (Passenger Transport) Regulation 2010* (see <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/T/TranstOpPasTR05.pdf>), the holder of a taxi or limousine service licence may transfer or lease the licence to another person who is accredited to provide the service.
- When transferring a taxi or limousine service licence, there is a requirement under the Duties Act 2001 (see <https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/D/DutiesA01.pdf>) for the parties to pay transfer duty (previously known as stamp duty).
- It is important to note that there is a distinction between service licence transfer duty and vehicle registration transfer duty. In particular, service licence transfer duty is calculated and paid at the Office of State Revenue (OSR) whereas vehicle registration transfer duty is calculated and paid at a Department of Transport and Main Roads (TMR) Customer Service Centre or Passenger Transport Office (CSC or PT Office).

What the Seller needs to do:

- Ensure that their Operator Accreditation and Service Licence are current.
- Complete a Taxi/Limousine Service Licence Transfer/Lease/Management Notification Form (F3134) ensuring that all sections are completed and signed by all relevant parties (signatures must be witnessed by a TMR Officer or, in certain circumstances, a Queensland Police Officer).
- If they no longer wish to operate, manage or lease a taxi or limousine service licence, complete an Operator Accreditation Surrender Form (F4540).

Please submit the following documentation to TMR:

The completed Taxi/Limousine Service Licence Transfer/Lease/Management Notification Form **(F3134)**.

What the Buyer needs to do:

The buyer must hold current Operator Accreditation for the type of service licence being purchased. The accreditation must be in the same name(s) as the name to be recorded on the service licence. Refer to the Information Bulletin entitled '**Operator Accreditation for Taxis**' PT203/08.12 and '**Operator Accreditation for Limousines**' PT204/10.10.

If a contract for the purchase of the service licence was signed and the buyer is purchasing a compliant vehicle with the service licence, the buyer must provide the contract, the completed Transfer of Vehicle Registration Application Form **(F3520)** and the completed dutiable transaction statement **(OSR Form D2.2)** to the OSR for assessment. The OSR will provide the buyer with a certificate of assessment stating the amount of transfer duty payable (see the OSR website for methods of payment available). On receipt of payment, the OSR will provide the buyer with a stamped copy of the contract/documents. If the transaction was deemed exempt from transfer duty by the OSR, the relevant instrument will be stamped with nil duty. The stamped instrument and the other required documentation may then be provided to a TMR CSC or PT Office for processing.

If the buyer did not sign a contract for the purchase of the service licence the buyer will need to provide the OSR with a completed Transfer Duty Statement (**OSR Form D2.3**) in place of a contract.

If the buyer is purchasing the service licence only, they must be able to provide evidence that they have a compliant vehicle to operate on the licence that meets requirements for a taxi or limousine vehicle. (Note – the transfer will not be processed without vehicle details).

If a vehicle registration transfer is being conducted separately to the service licence transfer, the completed Transfer of Vehicle Registration Application Form (**F3520**) may be provided to a TMR CSC or PT Office rather than the OSR. Vehicle registration transfer duty will be calculated by, and paid through, TMR.

If vehicle registration transfer was completed prior to the service licence transfer, a credit may apply to the transfer duty payable on a licence transfer if duty was paid when the vehicle registration was transferred or if the vehicle and licence were purchased together from the same vendor. When lodging transfer documents for assessment with the OSR, the buyer will need to provide their receipt showing duty was paid.

Exemptions for the Payment of Registration Transfer Duty:

If vehicle registration transfer duty is being calculated and processed by a TMR CSC or PT Office, the exemptions provided by the OSR may be taken into consideration.

Exemptions may apply if the customer:

- Has registered the vehicle in Queensland or interstate (e.g. the vehicle registration expired or was cancelled and the previous registered owner, or a relative, is registering the vehicle again)
- Has given the vehicle as a gift to a family member
- Has received a vehicle from a deceased estate
- Is an ex-service person
- Has lost use of either leg
- Has vehicles registered in a business name (e.g. vehicle registration duty was paid when the vehicle was registered; an application is made by or for the owners of the business for the vehicle to the owners, or in the same business name if the vehicle is already registered under a corresponding Act in the name of the owners' business)
- Has a vehicle that is part of a matrimonial matter
- Is a vehicle dealer
- Uses the vehicle for charities.

Where there is uncertainty as to whether an exemption applies to a customer, contact the OSR to confirm. For information and forms relating to transfer duty, visit the Office of State Revenue website at www.osr.qld.gov.au or call its Client Contact Centre on 1300 300 734.

All documentation associated with the transfer of a Taxi/Limousine Service Licence must be submitted within 14 days of settlement at the nearest Passenger Transport Office or Customer Service Centre.

This information has been produced as a guide to assist in the understanding of the legislation and policy. It is an interpretation of the relevant Acts and Regulations and should not be used as a reference to a point of law.