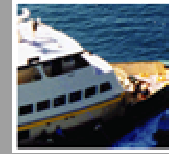


otsi

OFFICE OF
TRANSPORT
SAFETY
INVESTIGATIONS

OFFICE OF TRANSPORT SAFETY INVESTIGATIONS



Bus Safety Investigation

Interim Factual Statement

Systemic Investigation into the Importation and Licensing of Overseas-Sourced Buses in NSW



The Office of Transport Safety Investigations (OTSI) is an independent NSW agency whose purpose is to improve transport safety through the investigation of accidents and incidents in the rail, bus and ferry industries.

Established on 1 January 2004 by the Transport Administration Act 1988, the Office is responsible for determining the causes and contributing factors of accidents and to make recommendations for the implementation of remedial safety action to prevent recurrence.

OTSI investigations are conducted under powers conferred by the Rail Safety Act 2002 and the Passenger Transport Act 1990. OTSI investigators normally seek to obtain information cooperatively when conducting an accident investigation. However, where it is necessary to do so, OTSI investigators may exercise statutory powers to interview persons, enter premises and examine and retain physical and documentary evidence. Where OTSI investigators exercise their powers of compulsion, information so obtained cannot be used by other agencies in any subsequent civil or criminal action against those persons providing information.

OTSI investigation reports are submitted to the Minister for Transport for tabling in both Houses of Parliament. Following tabling, OTSI reports are published on its website www.otsi.nsw.gov.au

OTSI's investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. OTSI monitors the extent to which its recommendations have been accepted and acted upon through consultation with the relevant Transport Safety Regulator.

Information about OTSI is available on its website or from its offices at
Level 21, 201 Elizabeth Street, Sydney NSW 2000
Tel: (02) 8263 7100
PO Box A2616, Sydney South NSW 1235

The Office of Transport Safety Investigations also provides a Confidential Safety Information Reporting facility for rail, bus and ferry industry employees. The CSIRS reporting telephone number is 1800 180 828

Status of the Investigation

In the course of an investigation into a bus accident that resulted in three fatalities, the Chief Investigator became aware of the possible existence of a number of matters, associated with the importation of buses sourced from overseas and their subsequent licensing for commercial operation in NSW, that may not be in the public interest. Accordingly, and in compliance with the above statutory requirement, a systemic investigation will be conducted by OTSI into these matters.

Terms of Reference

The purpose of this investigation is to:

- a. identify the rules governing the importation of buses sourced from overseas into NSW;
- b. identify the processes by which buses sourced from overseas are licensed for commercial operation in NSW;
- c. assess the appropriateness and adequacy of the rules and processes governing the importation of buses sourced from overseas and of the processes by which those same buses are licensed for commercial operation in NSW; and
- d. propose any course of action arising from the investigation that would enhance the safety of bus operations in NSW.

Report

This systemic investigation will be conducted pursuant to Section 45A of the *Transport Administration Act 1988* and Section 46BA of the *Passenger Transport Act 1990*.

When the investigation is completed, OTSI's report will be submitted to the Minister for Transport for tabling in Parliament in accordance with Section 46D of the *Passenger Transport Act 1990*.

When the Report has been tabled, copies will be made available to all directly interested parties and will be published on the OTSI website.