

Solicitor Online Information Request System

Access Application and Terms

Part A – Important notes

Overview - the Solicitor Online Information Request System Application (the System) is an online mechanism for eligible law firms to obtain vehicle and driver information in connection with motor vehicle accident claims in lieu of paper-based application forms.

Available Information – information available through the System includes driver’s name and address and CTP insurer’s name.

Permitted Purpose – access to the Portal is only permitted to obtain information to commence, maintain or defend a legal claim (or enforce a resulting judgment) on behalf of a client in respect of a motor vehicle accident or to identify a CTP insurer in connection with a motor vehicle accident. This includes the preparation of a “letter of demand” from a lawyer as a precursor to commencing litigation. The law firm seeking the information must be acting for the client in respect of the claim.

Authorised Users – access is only permitted by Authorised Users whom the law firm has nominated and Transport for NSW (“Transport”) has approved. Only solicitors holding a current practising certificate are eligible for nomination as Authorised Users. The Security Administrator may nominate an Authorised User by completing the **Authorised User Nomination Form & Online Terms of Use**.

Security Administrator – a law firm must appoint a Security Administrator who will be the contact person for Transport in respect of the firm’s Authorised Users. The Security Administrator must hold a current practising certificate. The Security Administrator may also be an Authorised User.

Customer Number* – All applicants will need to have a NSW Driver’s Licence Number or Customer Number with TfNSW before applying. Follow the link for information on how to apply for an **Organisation Customer Number** or for an **Individual Customer Number**.

Part B – Applicant details

Applicant – law firm details			
TfNSW Customer Number*			
Firm’s name			
Trading name (if different to above)			
Street address			
Security administrator details <i>Note: this is the law firms’ authorised representative in connection with the System</i>			
NSW Driver Licence number or TfNSW Customer number*			
Name			
Email Address (work)		Telephone	
Practising certificate “valid to” date		Law Society Member Number	

Part C – Questionnaire

Privacy/Data Security: The Applicant law firm has in place information security controls to ensure protection of the information obtained from the System.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Privacy/Data Security Monitoring: The Applicant law firm has processes in place to monitor its compliance with all relevant privacy and data security requirements both at law and under Application Terms below.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
No Remote Access: Access to the System will occur only within the Law Firm’s offices and not from any other locations.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Privacy Training: The Applicant law firm provides privacy training to its staff.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Records: The Applicant law firm has in place appropriate record management policies and systems to document each access to the System by its Authorised Users.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

Part D – Portal application terms

In consideration of Transport for NSW (“Transport”) providing access to the System the Applicant agrees as follows:

(1) Permitted Purpose – That it will ensure that the Authorised Users will only access the System for the Permitted Purpose (see Part A above) and that the Applicant and its staff will only use the information obtained from the System for the Permitted Purpose. Improper access may be an offence under Part 6 of the *Crimes Act 1900*.

(2) Record Keeping – each time Authorised Users obtain information from the System they must make a contemporaneous record of the reason for that access which supports the access as being for the Permitted Purpose. These records must be retained for 7 years.

(3) Supervision of Authorised Users – the Applicant agrees to exercise appropriate supervision over the Authorised Users who have been granted access to the System to ensure that they comply with the **Online Terms of Use** outlined in the form **Authorised User Nomination Form & Online Terms of Use** including to access the System only for the Permitted Purpose and that they protect their User ID log-in and passwords and do not share their log-in IDs.

(4) No Remote Access – access to the System is only permissible within the Law Firm’s offices.

(5) Updating Status of Authorised Users -if an Authorised User:

- a) leaves the Applicant Law Firm or
- b) no longer requires access for any reason; or
- c) ceases to hold an Australian practising certificate

then the Security Administrator must immediately notify Transport using the **Change Notification form** so that Transport can cancel that Authorised User’s access.

(6) Updating Details – the Applicant must immediately notify Transport using the **Change Notification form** of the following changes:

- a) change of name or address of the Applicant
- b) change of contact details of the Security Administrator
- c) replacement of the Security Administrator.

(7) Annual Compliance Audit Certificates – the Applicant must conduct an audit annually at such times as Transport requires to report on such matters as Transport may require including but not limited to:

- (a) use of the accessed information only for the Permitted Purpose specified in Part A above;
- (b) compliance with these Application Terms;
- (c) confirming all Authorised Users hold current practising certificates;
- (d) its Authorised Users’ compliance with the **Online Terms of Use** outlined in the form **Authorised User Nomination Form & Online Terms of Use**.

Transport may prescribe a format to be used for Compliance Audit Certificates and may prescribe the manner of the audit.

(8) Ad Hoc Access Audits – at any time Transport may require the Applicant to audit particular accesses and to confirm whether or not the access was made by the Authorised User personally and whether the access was for the Permitted Purpose.

(9) Termination of Access – access to the System is entirely at Transport’s discretion and Transport may terminate the access of an Authorised User (or all Authorised Users) at any time if and in the event of a breach of these Application Terms or the **Online Terms of Use** or if Transport believes that the Applicant is not exercising appropriate supervision of its Authorised Users. Access may also be terminated where Transport considers that for any reason it would be more appropriate for a law firm to obtain information by using the **Request for Information application form**.

(10) Evidence of Compliance – the Applicant agrees to provide Transport with evidence of its Security Standards listed in Part C above whenever requested by Transport.

(11) Privacy – the Applicant agrees that if its Authorised Users access Personal Information from the System that Personal Information will be managed in accordance with the Australian Privacy Principles in the *Privacy Act (1988)* irrespective of whether or not the Privacy Act applies to the Applicant.

(12) Data Breaches – The Applicant must notify Transport immediately upon becoming aware of any data security or privacy breach in connection with access to the System, or management or use of information obtained from the System. Where the Applicant is required to make any notification, announcement or publication (notification) concerning a data breach under the *Privacy Act (1988)* the Applicant must: (a) give Transport two business days prior written notice of such notification (including a copy of the proposed notification); and (b) consider all reasonable requests from Transport made during that two Business Day period to change the content of the notification.


(13) Indemnity – the Applicant indemnifies Transport against all liability that Transport may suffer or incur (including settlement of privacy complaints) in connection with the Applicant’s access to or management or use of information obtained from the System, including, but not limited to, privacy complaints arising from using information other than for the Permitted Purpose.

(14) Disclaimer – Transport does not warrant that the System will be available at all or any times. Section 64(2) of the *Road Transport Act 2013* says registration of a vehicle does not provide evidence of title but rather, it indicates who is prima facie responsible for the operation of a vehicle.

(15) Publicity – the Applicant must not issue any press release or the like concerning its access to the System and any media enquiries must be referred to Transport.

Part E - Declarations & execution by security administrator

I declare the following to be true

- I have a current NSW Driver's Licence number or Customer Number (Organisation and/or Individual)
- I hold a current Australian legal practising certificate – copy attached 
- I have read the Application Terms in PART D above and also the **Online User Terms** in [Form 5661](#) (Authorised User Nomination Form & Online Terms of Use)
- I am authorised to make this application and accept the above Application Terms on behalf of the law firm noted above

Name			
Position			
<i>Note: must be a partner or director with authority to sign on behalf of the applicant</i>			
Signature		Date	

Lodgement

Lodge the completed form by email to CustomerAdministrationUnit@transport.nsw.gov.au

Office Use Only

User account setup /
extended / expired

Password reset

Name of Application

Group ID

Mask ID

User Expiry Date

Reg ID

B Reg ID

Activity/Log No.

Staff No.

Signature

Date

day	/	month	/	year
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Comments

PRIVACY STATEMENT – Transport for NSW is collecting your personal information to use in connection with this Application. You do not have to provide this information but we cannot process your Application without it. We may disclose the information you have provided in order to verify it. If you have provided us with the personal information of another person then you warrant that you have his/her permission to do so. You can contact us if you need to access or amend this information by completing an access form at transport.nsw.gov.au/about-us/transport-privacy or by contacting us at privacy@transport.nsw.gov.au or on **13 22 13**.