



2026 AND BEYOND

**A practical extract for
Queensland bus operators preparing for
2026 passenger safety and
child-safety reforms**

DISCLAIMER

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Context

This publication is an Extract from the bus industry working paper *2026 and Beyond: A Practical Information Pack on Safety Regulation in Queensland*. The full Working Paper provides detailed guidance on what has changed - and continues to change - in Queensland and Commonwealth regulation affecting bus operators.

Use this Extract to support your understanding of regulatory compliance and to “future-proof” your audit-readiness under new and existing laws relating to:

- the *Passenger Transport Act 1994 (Qld)* and its alignment with the *Heavy Vehicle National Law Act 2012* and the *Work Health and Safety Act 2011*; and
- the *Child Safe Organisations Act 2024 (Qld)* and its alignment with the *Passenger Transport Act 1994 (Qld)*.

This Extract is intended for small and medium-sized bus and coach operators - including family-run businesses, sole traders, and regional or remote operators - who typically have fewer administrative and compliance resources. It aims to simplify complex legislative requirements in a practical, accessible format.

About the Full Working Paper

The full Working Paper is a living document and undergoes frequent review to ensure it remains operationally relevant and reflects current best-practice guidance that aligns regulation with real-world bus operations.

Because the full Working Paper includes proprietary tools, templates and system-design elements, public distribution is version-controlled. Please [contact us](#) directly if you require access to the latest release.

What the Full Working Paper Includes

The most recent release of the full Working Paper contains:

- ✓ **Step-by-step guidance** on preparing a Safety Management Plan → what to include and what to avoid to meet regulator expectations
- ✓ **A comprehensive list of safety hazards** relevant to bus operations → aligned with what the regulator will look for
- ✓ **Requirements for solo operators** → outlining the minimum safety systems needed to meet legislative standards
- ✓ **Ready-to-use templates** to demonstrate compliance, including:
 - Safety Input & Consultation Log
 - Fit-for-Duty
 - Child Safe Assessment
 - Child Safe Checklist
 - Workplace Hazard & Near-Miss Report
 - Subcontractor Agreement
 - Subcontractor Induction
 - Pre-Engagement Safety & Compliance Verification
 - Driver – Check B4-U-DRIVE

Who has Undertaken this Safety Initiative

Systems368 (Australia) Pty Ltd (Systems368) has produced this publication from publicly available materials published by the Queensland and Australian governments, including legislation, regulatory guidance, and resources issued by relevant agencies, regulators, and appointed authorities (see [References](#)).

Systems368 is an Australian-owned and operated company with expertise in software and application design, machine learning, data mining and data science. We support the bus and coach industry by designing systems that bring regulatory requirements and operational practice together. Our work focuses on the needs of small and medium-sized operators, including those in regional and remote areas and sectors providing school services, tour, charter and specialist transport.

Acknowledgements

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Existing Compliance Requirements [prior 2026]

As an accredited bus operator in Queensland, you will already have in place appropriate systems that:

- a) are in accordance with the requirement of the Transport Operations (Passenger Transport) framework; and
- b) enforces accreditation - the safe, competent, and compliant delivery of passenger services.

Your existing obligations extend to all applicable laws relevant to your operations. This includes, but is not limited to:

- The Heavy Vehicle National Law (HVNL)
- The Work Health and Safety Act 2011 (Qld)
- Associated regulations, standards, and codes of practice.

Your current Safety Management System ensures:

- Passenger transport services are conducted safely and in accordance with legislative requirements;
- Drivers (including subcontractors) are appropriately licensed, authorised, and competent;
- Required training, instruction, and supervision are provided;
- Vehicles are operated and maintained in a safe and roadworthy condition;
- Incidents, hazards, and risks are identified and managed;
- All records are kept, typically, for a minimum of 5 years after the record is made.

Additional New Compliance Requirements [2026+]

Queensland New Safety Framework and Chain of Responsibility

The 2026 Queensland new safety framework under the *Passenger Transport Act 1994* does not introduce fundamentally new obligations under passenger transport, HVNL, or WHS laws.

Instead, it formalises and enforces a shift from prescriptive compliance to a **risk-based, system-driven approach**, requiring operators to demonstrate, document, and continuously assure how safety is managed across all operations, **including subcontracted services**.

So – what has changed?

The 2026 framework shifts bus operations from prescriptive compliance to a **risk-based, evidence-driven system**, and **aligns more closely with HVNL Chain of Responsibility and WHS** safety duties.

Regulatory and Operational Gap Analysis pre-2026 → 2026-plus as it applies to the new safety framework, HVNL and WHS laws.

Important Legal Terms & References → Plain English

Safety Management Plan (SMP)

A Safety Management Plan (SMP) is a living document that serves as the operational blueprint for how a bus operator identifies, assesses, and controls safety risks "so far as is reasonably practicable". An SMP must consider safe **Duties** in the development, implementation and ongoing monitoring and review.

An SMP is a mandatory legal requirement for:

- all **Responsible Duty Holders** to ensure that every aspect of a road-based passenger transport service - from vehicle maintenance to driver health - is proactively managed rather than just being an "incident reactive" approach; and
- all **Duty Holders** to follow an SMP "so far as is reasonably practicable".

Duties

Chapter 6A, Part 2 of the PT Act (s67N–67T) lists the various duties relating to safety.

- ✓ s 67N Primary duty of care (all duty holders except drivers)
- ✓ s 67O Primary duty of care of drivers
- ✓ s 67P Duty of executive officers (due diligence)
- ✓ s 67Q Duties of operators
- ✓ s 67R Duties of registered operators (vehicle owners)
- ✓ s 67S Duties of drivers
- ✓ s 67T Duties of booking service providers

Collectively, these form the term we use in this document as **Safety Duty**.

Plain English:

A **Safety Duty** is the legal obligation under the PT Act for Duty Holders to make sure the passenger transport service is safe - including safe vehicles, safe drivers, safe systems, and safe behaviour - **so far as is reasonably practicable**.

So Far as is Reasonably Practicable

This means doing what a reasonable operator or person would do to prevent harm, considering the likelihood of the risk, the seriousness of harm, what you know, what you can do, and whether the cost is grossly disproportionate.

Plain English:

You must take sensible, practical steps to keep people safe.

For a bus operator, "reasonably practicable" is not a get-out-of-jail-free card for not having money. It is a requirement to do the best you can with the best available knowledge, ensuring your safety effort matches the size of the risk.

Duty Holder

A **duty holder** is anyone who has a role in providing the public passenger service. This includes the operator of the service, the registered vehicle owner, the booking services provider and the driver.

Plain English:

If you influence safety, you are a duty holder.

What this means:

All duty holders are legally required to follow the Safety Management Plan relevant to their work (note - it is the responsibility of the Responsible Duty Holder to *communicate the plan* to Duty Holders).

Responsible Duty Holder (RDH)

A **Responsible Duty Holder** (RDH) is the person or entity with the **overall risk** of the passenger service operation.

Plain English:

- If you run the business as the operator of a passenger transport service → you are the RDH and you own the risk of the **safe operation** of the service.
- If you take bookings for passenger transport services but do not provide the vehicle or the driver → you are the RDH and you own the risk of the **safety assurance** of the operator of the service.
- If you are the registered owner of the vehicle in use by an operator → you are not the RDH but you own the risk of the **safe asset** as a Duty Holder.
- If you drive the vehicle → you are not the RDH but you own the risk of **safe conduct** as a Duty Holder.

What this means:

- The RDH is the entity responsible for development, implementation and review of a Safety Management Plan.

Example Scenarios – common in the bus industry where subcontracting is involved.

Operator A and Operator B → are RDH entities as operators of road-based passenger transport services.

Operator A and Operator B → are Duty Holders to each other when performing sub-contracted work to fulfill shortfalls in service commitments.

Operator A takes a large charter job and subcontracts portions of the work to Operator B.

***the definitions: RDH and Duty Holder** apply to both parties simultaneously, but in different ways.*

- Operator A's RDH duty is to ensure that Operator B is "safety assured" → accredited, has an active SMP, current insurance, etc.
- Operator B as a **concurrent RDH** owns the operational risk for the specific journey → safe vehicle, safe driver, etc.

***the shared burden:** Both A and B have a shared responsibility to each other as a Duty Holder. Operator A must follow any safety management instruction of Operator B and vice versa (per provisions under s67L Principle of shared responsibility).*

Operator A's RDH Risk: If the Operator B driver is fatigued and crashes, the regulator will ask Operator A: "What was your system for verifying that your subcontractor manages fatigue?" If Operator A says - "That's their problem" - Operator A has failed their RDH duty.

Operator B's RDH Risk: If Operator B accepts a job from Operator A that is "mission impossible" (e.g., a schedule that forces speeding), Operator B cannot blame Operator A. By accepting the work, Operator B's RDH duty requires them to refuse the schedule if it is unsafe.

the rule: *You cannot be contracted to be unsafe. If the job does not fit the safety plan, the wheels should not turn.*

Key take-outs → New Safety Framework

1. Repeal of the PT Standard 2010

2. Introduces new **general Safety Duty** that applies to anyone who can influence safety (safety risks) in a road-based public passenger service.
3. **Safety Duty** applies to **ALL Duty Holders** - operators, drivers, registered vehicle owners, booking providers and others involved in service delivery.
4. Introduces new **mandatory Safety Management Plan (SMP) which must be maintained by the RDH** and:

- a) must include hazard identification, risk assessment, controls and responsibility allocation;
- b) requires **formal consultation with all Duty holders** - where "reasonably practicable".

Anecdotally - formal consultation may not apply to drivers - however all employees **must be able to contribute** to the development of the SMP via feedback or their observations about hazards and risks. It is worth considering, if an incident occurs and the regulator asks how you consulted with your drivers on that specific risk, "we just chat in the depot" may not satisfy the legal burden of proof;

- c) must be provided to the regulator if they ask for it;
- d) must be **made accessible** to duty holders (online, hard copy, etc).
- e) requires **all duty holders** to comply to the SMP where "reasonably practicable";
- f) must be reviewed every 3 years, after a major incident or introduction of new operations (i.e., safety risks associated with a new route, or service type), new equipment on vehicles.

5. New Strategic Alignment with WHS & HVNL

- a) Training & Competency - although not prescribed in the new safety framework, the SMP must have controls in place to address requirements under:
 - WHS – training; and
 - HVNL – competency.
- b) Reporting/management of incidents - although not prescribed - the SMP must have controls in place to address:
 - HVNL - notifiable hazards and near-misses (systemic safety risks); and
 - WHS - notifiable incident that leads to serious injury or illness (physical or mental).
- c) Fit for Duty self-assessment – drivers now have a legal duty to "assess" their fitness to drive under incoming new requirements under the HVNL (Section 228; expected 1 July 2026).

Although not prescribed in the new safety framework, the SMP must have controls in place to address these new requirements. The new law officially expands the driver's duty from

"don't drive while fatigued" → "don't drive if unfit for any reason": A driver must not drive "if the driver is not of sufficiently good health or fitness to drive the heavy vehicle safely". This expanded duty means that drivers must self-assess their fitness to drive before and during driving (although the practical application of how this might be applied in passenger transport remains unclear).

Recommendation: As a driver's assessment of fitness for duty is subjective, Operators should consider training drivers on how to conduct a self-assessment and include a driver acknowledgement of "fit for duty" as part of pre-trip inspections.

6. New Audit & Direction to Comply Powers

- a) Audits are now elevated into a structured, system-focused assurance tool linked to safety duties and SMP compliance.
- b) Introduction of compliance powers in relation to safety duties and the SMP. Think of it as a **formal legal instruction to fix safety issues**.

7. New Safety Duty Offences & Penalties [Executive Due Diligence]

The shift in Executive Due Diligence is perhaps the most significant "legal shock" for bus operators in 2026. Historically, safety was often treated as a "compliance task" for the Depot Manager or Safety Officer. Now, it is a personal, non-delegable legal obligation for Directors and senior executives (Officers).

If the corporation fails its safety duty, an Executive can be prosecuted personally - even if the corporation itself is not.

- Executive Due Diligence Regulatory and Operational Compliance Gap Analysis.
- Sample scenario for a school services operator.

Child Safe Standards [under Child Safe Organisations Act 2024]

The Child Safe Standards in Queensland is incorporated under the *Child Safe Organisations Act 2024* and was introduced on 1 October 2025 with phased conditional transitioning by 1 July 2026. Important to note that compliance for transport services compliance date was 1 April 2026.

- Child Safe Regulatory and Operational Gap Analysis pre-2026 → 2026-plus.

What exactly is the Child Safe Standards (the Standards)?

Background: Queensland introduced the *Child Safe Organisations Act 2024* and the *Child Safe Standards* (the Standards) in response to long-standing national findings that children were not consistently protected across organisations that work with or care for them. The Royal Commission into *Institutional Responses to Child Sexual Abuse*, highlighted that many organisations lacked clear systems for preventing harm, screening staff, responding to concerns, and creating environments where children feel safe to speak up.

The Standards include 10 requirements that organisations must follow to create safe environments for children. The Standards cover governance, staff screening, training, risk management, child participation, complaints handling, and continuous improvement.

Who does this apply to? – Child Safe Entities

Any bus operator who provides "services specifically for children" is a Child Safe Entity.

In reviewing the definitions of a Child Safe Entity and its applicability to a bus operator (see [s10](#) and [Sch1](#) of the law), services specifically for children could reasonably be identified as services where:

- ✓ **Children are the intended users** (e.g., school bus run, youth charter)
- ✓ **Contracted for children** (e.g., school contract, NDIS transport for a minor)
- ✓ **Children are regular, expected passengers** (e.g., special-needs transport that includes minors)
- ✓ **The operator has supervision responsibility for children** (even if limited to transport duty of care).

A **Child Safe Entity** must follow the Standards, appoint a "child safety lead" (i.e., responsible person), ensure drivers have the relevant credentials, and have simple child-safety policies and reporting processes.

Under both the *Child Safe Organisations Act 2024* and the *Transport Operations (Passenger Transport) Act 1994*, child safety is no longer just about checking a driver's credentials or keeping the bus mechanically sound. It requires a proactive, transparent culture where the physical, emotional, and cultural safety of children is embedded in everything you do.

Whether you are performing a contracted daily school run or a one-off weekend sports charter, you must actively ensure that children are protected, their voices are heard and respected, and any allegations of misconduct are handled swiftly through structured legal pathways.

Who this does not apply to?

You **do not** need to comply with the Standards if you only operate:

- general-public route services where children may board incidentally; and
- adult-only charters.

Why does this matter for bus operators?

Children are considered a vulnerable passenger group under Queensland law. Bus operators providing services specifically for children have a legal duty to ensure that children are protected from physical, emotional, and cultural harm whilst in their care. The Standards ensure that operators have clear systems for preventing harm, responding to concerns, and supporting drivers to manage child-related risks confidently and consistently.

Does this change driver screening requirements?

As a Child Safe Entity, you must verify the correct credentials. Whilst standard school run drivers are typically covered by TMR's Industry Authorisation, any staff member (including drivers) whose role is specifically designated as a *supervisor* or who performs *specialist transport* (e.g., for students with disabilities) must also hold a Blue Card.

- ✓ **Industry Authorisation (TMR)** → driver authorisation mandatory for all drivers → Covers basic safety and criminal history for general transport.
- ✓ **Blue Card (Working with Children)** → mandatory **only** for staff in *regulated employment* → Covers "specialist" work which may include:

- drivers of **specialist school transport** (students with disabilities);
- any staff member (driver or not) acting as a **bus monitor/supervisor**;
- drivers performing work for you as the **business contracted directly by a school** (where they enter school grounds frequently).*

⚠ Critical Note: Holding a Blue Card is **not** a substitute for TMR Industry Authorisation. Both credentials are required for any driver performing specialist work.

⚠ *Considerations: With the September 2025 amendments to the *Working with Children (Risk Management and Screening) Act 2000*, check-in with your customers - school or early childhood centres - on any changes or potential considerations relating to Blue Card/Regulated Business requirements → e.g., conditions of a Blue Card if the driver is required to drive the bus into the school grounds (inside the gate), park in a school-internal bay, and wait/interact with students or staff.

What small operators are *not* required to do

- You do **not** need a full-time Child Safety Officer.
- You do **not** need complex manuals or large policy suites.
- You do **not** fall under the **Reportable Conduct Scheme** - UNLESS you are registered with the NDIS specifically to provide "Specialist School Transport".
Note: TMR's obligations to the Reportable Conduct Scheme comes into force on 1 July 2026. All operators should report any child-safe incidents, such as allegations of driver misconduct, to TMR in accordance with your operator accreditation obligations.
- You do **not** need to create new systems separate from your Safety Management Plan - the Standards can be integrated into your existing processes.

I only do 2 school runs - does this apply to me?

Yes it does - but the law is **proportionate**. It does not want you to drown in paperwork; it wants you to prove that you have considered the unique risks of your specific routes and the unique needs of the children on them.

How does this fit with a Safety Management Plan?

Your SMP already requires you to identify risks, train staff, manage incidents, and maintain safe operations. The Standards simply extends this to include risks and controls relating to children. You do not need a separate system - child safety becomes part of your existing SMP framework.

What are the minimum documents required for compliance?

A small operator will generally need a:

- Child Safety Policy Statement
- Child Safety Code of Conduct
- Child Safety Lead Role Statement
- Simple Child Safety Incident Procedure
- Child Safety Risk Register

- Screening & Credentials Register (current Industry Authorisations for all drivers, plus Blue Cards where specifically required - e.g., specialist school transport supervisors)
- Child-focused Complaints Process.

Key take-outs → Child Safe Standards (the Standards)

Note: Detailed practical application of the Standards is out of the scope of this Paper.

1. Mandatory Compliance for Transport

The Act identifies transport services "specifically provided for children" - means compliance with the Standards (10 in total) is a statutory requirement, not a recommendation.

2. Shift from "Credentials only" to "Holistic Safety"

The biggest 'legal shock' here is that screening credentials alone - an Industry Authorisation and/or a Blue Card are now considered the minimum entry point, NOT the complete safety solution.

The Standards require a shift from "ticking the credentials box" to where child safety is embedded in every depot conversation.

3. Integration into the SMP (a "single system approach")

Whilst the PT Act 2026 does not explicitly list the 10 Standards, your **Safety Management Plan** must include them as controls. If a child-safety incident occurs, the regulator will audit your SMP to see if the following requirements were met:

- **Standard 1 (Governance):** Is child safety a permanent item on your management/board meeting agendas?
- **Standard 6 (Recruitment):** Do you do more than just check a drivers authority or Blue Card? (e.g., specific child-safety interview questions, reference checks)
- **Standard 8 (Physical & Online Environments):** Have you identified risks specific to the bus environment (e.g., students left on the bus or the last student on the bus or ensuring students are on the right bus)?

4. New Requirement: Child Voice & Participation (Standard 2)

This is a significant change for bus operators. You must provide mechanisms for children to feel safe and have a say in safety.

- **Practical Application:** Simple "How is my driving?" or "Report a Concern" - signage on buses that are child-friendly and easy to use: QR codes - Phone - Online feedback.

5. Empowerment of Staff & Drivers (Standard 7)

Operators must provide ongoing training (not just a one-off induction) to drivers on how to identify signs of harm and how to respond to disclosures.

- **Recommendation:** Include "child safety situational awareness" as a recurring topic in duty holder safety consultations, feedback and suggestions - sits alongside with safety reviews of vehicle maintenance and fatigue.

6. Complaints Management (Standard 9)

The Act requires a "child-focused" complaints process. This means a parent or child must be able to lodge a complaint easily, and the operator must have a documented process to investigate and respond specifically through the lens of child safety.

7. Personal Liability & Continuous Improvement (Standard 10)

Similar to the "Executive Due Diligence" in the PT Act 1994, the Child Safe Organisations Act 2024 expects "Officers" to verify that child safe policies are being followed. Leaving a policy in a folder is a breach of the Standard.

8. Universal Principle | Equity & Diversity

There are two aspects of the Standards that are potential impact factors in your considerations of your current treatment of student code of conduct, community engagement, driver screening-induction-training and complaints feedback.

- ✓ The Universal Principle → applies specifically and exclusively to Aboriginal children and Torres Strait Islander children → you must embed cultural safety across ALL 10 standards.
- ✓ Standard 4 Equity & Diversity → applies to ALL children from diverse groups (such as culturally and linguistically diverse (CALD) communities; children with disabilities; LGBTIQ+ children; refugees and asylum seekers) → must feel safe, valued, and included.

Remember! The law is applied proportionate to the size of your business. The expectations of a small organisation is vastly different to those required of a large operator.

The expectations of a large operator completing 100 charters and 100 school runs per day would be expected to have a Reconciliation Action Plan and may require a dedicated Diversity & Inclusion Manager.

For a small operator → include cultural safety as a standing item in any toolbox talks with drivers or incorporate in your employee feedback or reporting processes.

Instead of a complex equity audit → update your Student Code of Conduct to explicitly state that the bus is a safe space for all identities.

Appendices

Appendix 1 Detailed Regulatory Gap Analysis

Table 1 Detailed Regulatory Gap Analysis pre-2026 and 2026 onwards compliance requirements

Area	Pre-2026 (PT Framework)	2026+ PT Act Requirements	HVNL / WHS Alignment	Key Change / Gap
Safety Duty	General obligation to operate safely under TOPTA 1994.	Explicit primary safety duty to ensure safety " so far as reasonably practicable " (SFARP).	Mirrors HVNL Chain of Responsibility (CoR) and WHS primary duty of care.	Shift from general duty → an enforceable, risk-focused safety duty.
Duty Holders	Focus primarily on the operator.	Expanded to all duty holders (operators, drivers, registered operators, booking entities, etc.).	Aligns with HVNL CoR parties and WHS definitions of "workers" and "officers".	Broader accountability across the entire transport supply chain.
Safety Management System (SMP)	Prescriptive rules under PT Standard 2010; often implied systems.	Mandatory, documented Safety Management Plan (SMP) to identify hazards, assess risks, and assign responsibilities.	HVNL/WHS require proactive risk management systems.	From prescriptive/implicit rules → a formal, documented, and auditable risk-based system.
Risk Management & Reporting	Focus on reactive reporting of serious accidents/incidents.	Must proactively identify hazards, near misses, and safety concerns via the SMP.	WHS requires hazard identification; HVNL expects proactive risk controls.	Transition from reactive incident reporting → proactive hazard identification and management.
Consultation	Not explicitly required in the old PT framework.	SMP must be developed and reviewed in consultation with relevant duty holders (so far as "reasonably practicable").	Directly mirrors WHS requirements for worker/contractor consultation.	Formal introduction of consultation as a specific PT regulatory requirement.
Driver Competency	Based on licensing and basic driver authorisation.	Must demonstrate and evidence competency; training is a critical control within the SMP.	Aligns with WHS training/supervision and HVNL "competent person" requirements.	Move from assumed competency (licence-only) → evidence-based competency management.

Area	Pre-2026 (PT Framework)	2026+ PT Act Requirements	HVNL / WHS Alignment	Key Change / Gap
Subcontractor Management	Responsibility acknowledged but often loosely evidenced.	Safety duties cannot be transferred ; must identify and verify subcontractor roles and competencies in the SMP.	CoR applies across the supply chain; WHS includes contractors as "workers".	From high-level responsibility → provable control and oversight of third parties.
Assurance & Monitoring	Passive record-keeping (maintenance/incidents) and regulator-led audits.	Mandatory internal self-assessment , trend analysis, and periodic review of the SMP.	HVNL and WHS require ongoing review of control effectiveness.	From external audit reliance → continuous, data-driven internal assurance.
Enforcement	Prescriptive audits and notices.	New audit framework, directions to comply, and specific safety duty offences .	Aligns with WHS/HVNL penalty structures and enforcement actions.	Stronger enforcement focused on safety outcomes rather than just administrative rules.

Appendix 2 Executive Due Diligence

Table 2 Executive Due Diligence: Gap Analysis (PT Act 2026 Transition)

Due Diligence Element	Pre-2026 (Compliance-Led)	2026+ (Positive Duty / Section 67P)	The "Bridge" (Mindset & Action)
Knowledge of Law	Assumed that "the business is accredited", so we must be compliant.	Active Knowledge: Officers must personally acquire and keep up-to-date knowledge of safety duties and risk management.	From accreditation is enough → I must personally understand our legal safety obligations.
Nature of Risk	High-level awareness of incidents (e.g., "We had two mirrors clipped this month").	Specific Understanding: Must understand the exact nature of hazards specific to <i>your</i> routes, depot, and vehicle types (e.g., thermal risk in battery electric bus).	From looking at incident logs → Interrogating the Hazard Register to understand what could happen.
Resourcing	Budgeting based on operational needs and historical spend.	Resource Provision: Must ensure the corporation has, and uses, appropriate resources (funds, staff, tech) to eliminate or reduce risks.	From cutting costs where possible → Ensuring safety controls are fully funded and resourced first.
Information Flow	Receiving a monthly safety report at the Board meeting.	Responsive Processes: Must ensure a process exists to receive, consider, and respond <i>quickly</i> to information about hazards, risks, and incidents.	From passive reporting → Active inquiry and rapid response to near-miss data.
Verification	Relying on the fact that no "Notices" were issued by the Regulator.	Positive Verification: Must ensure and verify that the corporation actually implements the processes and resources it claims to have.	From no news is good news → Trust but verify: Auditing our own SMP effectiveness.
Legal Liability	The company gets fined; the "Operator" (entity) is responsible.	Personal Liability: Category 1 (Reckless) offences can lead to 5 years imprisonment and massive personal fines for Executives.	From corporate risk → Personal legal accountability for safety outcomes.

Appendix 3: Sample Scenario of Executive Due Diligence

Scenario: The "Fit for Duty" Breakdown

The Context:

- **Operator:** Ned's Coaches (small fleet).
- **Driver:** "Old Mate" Kev, a 20-year veteran of school and charter runs.
- **The Incident:** Kev arrives at 6:00 AM for a long-distance school excursion. He is visibly tired and has a heavy cough, but says, "I'm fine mate, let's get moving."

The "Before" vs. "After" Response

Action	Old Way (Pre-2026)	New Way (2026 Framework)
Initial Check	Ned sees Kev, asks "You okay mate?", Kev says "Yeah mate" and Ned hands him the keys.	Kev must complete a Fit for Duty Self-Check (digital or paper) before touching the keys.
The Duty	If Kev crashes, the investigation looks at the Ned's bus maintenance and Kev's logbook.	If Kev crashes, the investigation looks at Ned's SMP : Did Ned have a process to verify Kev was fit?
Driver Power	Kev <i>feels he has to drive</i> to avoid letting the school (or Ned) down.	Kev has a Positive Duty not to drive if unfit . The law protects Kev if he refuses to drive for health reasons.
Officer Liability	Ned (the owner) assumes his insurance covers the accident.	Ned must prove Due Diligence : Did he provide the resources (relief drivers) to allow Kev to stay home?

The Risk of a "Category 2" Offence

Imagine Kev has a micro-sleep and clips a guardrail. No one is hurt, but the children are shaken.

- **The Investigation:** TMR/NHVR investigators find that Kev had been complaining of "flu-like symptoms" in the depot for three days.
- **The Breach:** Because Ned knew (or should have known) Kev was unfit and did not have a "Fit for Duty" check in his Safety Management Plan - this is a **Category 2 Safety Duty Offence**.
- **The Penalty:** Ned's Coaches (the company) faces up to **\$2.5 Million**, and Ned (personally) faces up to **\$250,000**.

Appendix 4 Child Safe Analysis Gap

Table 3 Child Safe Standards Operational Analysis Gap

Area	Pre-Framework	New Requirement (Child Safe Standards)	Practical Implications for Bus Operators
Child Safety Commitment	Informal expectations	Organisation must embed a culture of child safety with leadership commitment	Include child safety in policies, contracts, and leadership messaging
Code of Conduct	General driver behaviour expectations	Must have a documented child-safe code of conduct	Define acceptable/unacceptable behaviour (boundaries, interactions, communication)
Risk Management (Child Safety)	Focus on physical safety (driving)	Must identify and manage risks to children , including abuse, misconduct, and environmental risks	Add child safety risks to SMP (e.g. isolated stops, behaviour risks, supervision gaps)
Recruitment & Screening	Blue Card checks (where required)	Must ensure child-safe recruitment and screening practices	Verify Blue Cards, references, suitability for all drivers incl. subcontractors
Training & Awareness	Limited or ad hoc	Workers must be trained in child safety and reporting obligations	Include child safety in induction (drivers + subcontractors)
Reporting & Response	Incident reporting focused on safety events	Must have processes to report and respond to child safety concerns	Clear escalation pathway (internal + external mandatory reporting)
Empowering Children	Not considered	Must consider ways to support children to raise concerns	Age-appropriate communication (e.g. signage, behaviour expectations)
Complaints Handling	General complaints processes	Must have child-focused complaint handling processes	Ensure complaints involving children are prioritised and handled appropriately
Subcontractor Controls	General compliance expectations	Must ensure contractors comply with child safe standards	Include requirements in subcontractor agreements + induction
Continuous Improvement	Reactive approach	Must review and improve child safe practices regularly	Include child safety in audits, reviews, and incident analysis

Appendix 5: Quick reference table on Acts and associated Legislation applicable to Queensland bus operators

Category	Legislation	Key Compliance Area
Passenger transport	Transport Operations (Passenger Transport) Act 1994	Operator accreditation
Passenger transport	Transport Operations (Passenger Transport) Regulation 2018	Driver authorisation, services, Safety Management
Road transport	Transport Operations (Road Use Management) Act 1995	Road transport framework
Road rules	Transport Operations (Road Use Management—Road Rules) Regulation 2009	Driving rules
Licensing	Transport Operations (Road Use Management—Driver Licensing) Regulation 2021	Driver licensing
Vehicle registration	Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021	Registration
Vehicle standards	Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021	Roadworthiness
Heavy vehicles	Heavy Vehicle National Law Act 2012	Mass, fatigue, maintenance, reportable incidents
Workplace safety	Work Health and Safety Act 2011	Worker safety
Workplace safety	Work Health and Safety Regulation 2011	Workplace conditions
Employment	Fair Work Act 2009	Employment conditions
Accessibility	Disability Discrimination Act 1992	Accessible transport
Accessibility	Disability Standards for Accessible Public Transport 2002	Accessibility standards
Discrimination	Anti-Discrimination Act 1991	Service equality
Child safety	Child Safe Organisations Act 2024	School transport safety
Child Safety	Child Safe Standards – 10 Principles	10 Standards + Universal Principle
Child Safety	Working with Children Act 2000	Blue Card system
Privacy	Privacy Act 1988	Collection of Medical/Criminal checks, Use of CCTV/Telematics, Passenger data, securing data against unauthorised access.

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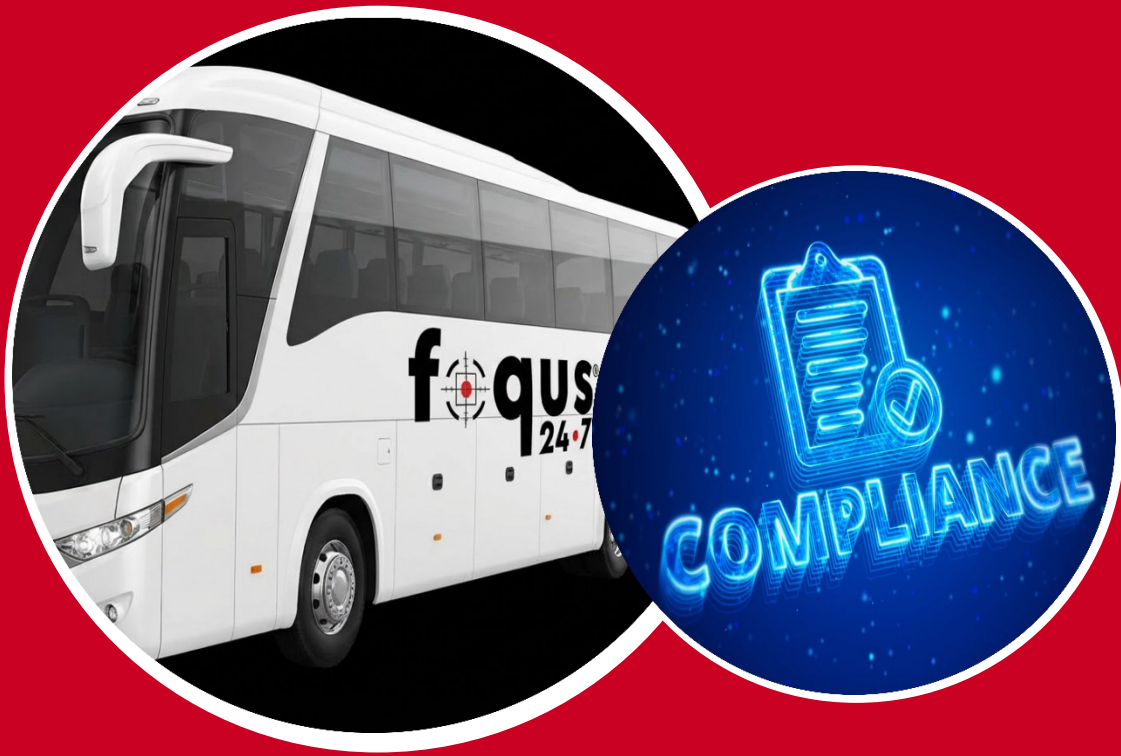
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