



Inquiry into the procurement and delivery of MyWay+

Answer to question taken on notice

Asked by: Ms Jo Clay MLA

Addressed to: Chris Steel MLA, Minister for Transport

In relation to: Provide evidence MyWay+ is compliant with the law

Hearing: **03/07/2025**

Uncorrected Proof Transcript **UPT 03/07/2025**, pp 9

Transcript provided: **10/07/2025**

Answer Due: **17/07/2025**

Chris Steel MLA, Minister for Transport took on notice the following question:

1. Confirm and provide evidence with how MyWay+ is currently compliant (as at today) with the minimum standards in the law.
2. Tell us how MyWay+ is compliant with minimum DDA requirements.

THE CHAIR: I might just ask a very brief clarifying question here. There is contract compliance. There is also compliance with the law, and our committee has received some pretty clear advice about what compliance with disability law means. Do you think the system is compliant with the law at the moment?

Mr McHugh: So the ACT government has a positive duty to eliminate discrimination under the Human Rights Act in the ACT, and that requires us to take reasonable proportionate steps to address and eliminate discrimination in any of our systems, and we believe we can demonstrate that we are compliant with that positive duty requirement and we could provide evidence to the fact through the work that has been undertaken, and the work completed as part of this contract.

THE CHAIR: I might ask if you could take on notice, and we would like to see on notice—another committee member might want you to say it out loud but otherwise, take it on notice. We have got the standards which set out clear minimum technical and service requirement that must be met in the law, and they include things like communication, audible and visible information, booking and ticketing systems demonstrating that you have provided equivalent access to public discrimination without discrimination. If you can take on notice how and where buses are currently compliant with the minimum standards in law, that would be excellent, but I do not—

Mr McHugh: As of today, absolutely. We will take that question on notice.

Chris Steel MLA, Minister for Transport: The answer to the Member's question is as follows:

1. The Contract for the Next Generation Ticketing System for Transport Canberra states in clause 81.8 Contractor's compliance with law and policy (p. 103): *The Contractor warrants that it complies with the laws, policies and requirements set out in clause 88.1 and Schedule 10 (Territory Policy Requirements).*

At clause 88.1 (p.118), this expands to read: *The Contractor must, in performing its obligations under this Contract, comply with all applicable Laws and Territory policies, including the following sub clauses (88.1.1 – 88.1.7):*

- *the Privacy Laws;*
- *the Territory Records Act 2002 (ACT);*
- *the Crimes Act 1914 (Cth);*
- *the Criminal Code Act 1995 (Cth);*
- *the Crimes Act 1900 (ACT);*
- *the Criminal Code Act 2002 (ACT); and*
- *any other Laws or policies referred to in Schedule 10 (Territory Policy Requirements), Schedule 2 (Statement of Work), a Work Order or as Notified to the Contractor from the Territory from time to time.*

Schedule 10 (Territory Policy Requirements, pp. 345 - 348) includes:

- *Work Health and Safety;*
- *Freedom of Information;*
- *Local Industry Participation;*
- *Anti-Discrimination law;*
- *ACT Public Service values;*
- *Illegal Workers; and*
- *Secure Local Jobs.*

NEC Australia has provided written assurance that they and their systems complies with the laws, policies and requirements as stated in the Contract for the Next Generation Ticketing System for Transport Canberra.

2. The below should be read in conjunction with the response provided to QTON 20 from the 1 May 2025 hearing.

Any legal action resulting from an allegation of an unlawful act is taken by a complainant in a court or through a complaint to the Human Rights Commission (ACT or Australian). Each complaint or claim would be assessed on a case-by-case basis based on evidence that an unlawful act had been committed, and the individual had suffered harm (physical or otherwise) as a result.

OFFICIAL

Approved for circulation to the Standing Committee on Environment, Planning, Transport and City Services.

Signature: 

Date: 17 / 7 / 25

By Chris Steel MLA, Minister for Transport