



Regulatory Powers (Standard Provisions) Regulation 2015

Select Legislative Instrument No. 138, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 20 August 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

George Brandis QC
Attorney-General

OPC60899 - F

Contents

Part 1—Preliminary	1
1 Name	1
2 Commencement.....	1
3 Authority	1
4 Definitions.....	1
Part 2—Identity cards	3
5 Identity cards—prescribed form	3
6 Identity cards—authorisation by Minister	4
7 Identity cards—transitional prescribed form	5

Part 1—Preliminary

1 Name

This is the *Regulatory Powers (Standard Provisions) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	26 August 2015

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Regulatory Powers (Standard Provisions) Act 2014*.

4 Definitions

In this instrument:

Act means the *Regulatory Powers (Standard Provisions) Act 2014*.

Section 4

relevant authorising provision, for an authorised person, means the provision of an Act that provides that the person is an authorised person for the purposes of Part 2 or 3 of the *Regulatory Powers (Standard Provisions) Act 2014*.

tamper-evident security feature means a feature intended to reduce the risk of counterfeiting or tampering, or to provide visual evidence of attempted tampering.

Part 2—Identity cards

5 Identity cards—prescribed form

- (1) For paragraphs 35(2)(a) and 76(2)(a) of the Act, an identity card must be:
- (a) in a form that complies with this section; or
 - (b) in a form that complies with this section except to the extent that non-compliance with one or more provisions of this section is authorised by the Minister under section 6.

Front of card

- (2) The identity card must contain the following elements on the front of the card:
- (a) the Australian Government logo;
 - (b) the photograph, of the authorised person, required by paragraph 35(2)(b) or 76(2)(b) of the Act (as the case may be);
 - (c) the full name of the authorised person;
 - (d) a feature or statement that identifies to the body in relation to which the person is an authorised person whether the authorised person is an employee of, or a contractor to, the body;
 - (e) the date the card expires;
 - (f) a statement that the person to whom the card is issued is an authorised person under the relevant authorising provision for the authorised person.
- (3) The Commonwealth Coat of Arms in the Australian Government logo required by paragraph (2)(a) must:
- (a) be the Conventional version no. 3A (solid); and
 - (b) be large enough to be recognisable as the Commonwealth Coat of Arms.
- (4) The photograph referred to in paragraph (2)(b) must:

Section 6

- (a) show the authorised person's full face, and his or her head and shoulders; and
- (b) have a resolution of at least 300 dpi; and
- (c) have an aspect ratio (being width divided by height) of 0.75; and
- (d) for a portrait view identity card—have dimensions of at least 33 mm by 44 mm, including any border; and
- (e) for a landscape view identity card—have dimensions:
 - (i) of at least 33 mm by 44 mm, including any border; but
 - (ii) not exceeding 37.5 mm by 50 mm, including any border.

Back of card

- (5) The identity card must contain the following elements on the back of the card:
 - (a) a serial number;
 - (b) an address for the card to be returned to if it is found.

Tamper-evident security feature

- (6) The identity card must contain at least one tamper-evident security feature.

Other material

- (7) The identity card may contain other information or features.

6 Identity cards—authorisation by Minister

- (1) The Minister may, in writing, authorise identity cards issued by a particular relevant chief executive not to comply with either or both of the following provisions of section 5:
 - (a) paragraph (2)(a);
 - (b) paragraph (2)(d).
- (2) The Minister must not give an authorisation under subsection (1) in relation to identity cards issued by a particular relevant chief executive and a particular provision of section 5 unless the

Minister is satisfied that it is appropriate to do so in all the circumstances.

7 Identity cards—transitional prescribed form

- (1) This section applies in relation to an identity card:
 - (a) issued, before the commencement of this section, to an authorised person for the purposes of section 35 or 76 of the Act; and
 - (b) that the authorised person has, as at the commencement of this section.
- (2) Despite section 5, the form of that identity card is the prescribed form for paragraph 35(2)(a) or 76(2)(a) of the Act (as the case may be), for the period of 12 months beginning on the day this section commences.
- (3) This section is repealed on the day after the end of the period of 12 months beginning on the day this section commences.