

2016-2017-2018

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

**Australian Passports Amendment  
(Identity-matching Services) Bill 2018**

**No.     , 2018**

*(Foreign Affairs and Trade)*

**A Bill for an Act to amend the *Australian Passports Act 2005*, and for related purposes**



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# **A Bill for an Act to amend the *Australian Passports Act 2005*, and for related purposes**

The Parliament of Australia enacts:

## **1 Short title**

This Act is the *Australian Passports Amendment (Identity-matching Services) Act 2018*.

## **2 Commencement**

- (1) Each provision of this Act 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.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act	The day after this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally enacted.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

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

### **3 Schedules**

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Australian Passports Act 2005*

#### **1 After paragraph 46(d)**

Insert:

- (da) participating in a service, specified or of a kind specified in the Minister's determination, to share or match information relating to the identity of a person;

#### **2 Application of amendments**

The amendments of section 46 of the *Australian Passports Act 2005* made by this Schedule apply in relation to any information disclosed after the commencement of this item (whether the information was obtained before or after that commencement).

#### **3 After section 56**

Insert:

#### **56A Minister may arrange for use of computer programs to make decisions**

- (1) The Minister may arrange for the use, under the Minister's control, of computer programs for any purposes for which the Minister may, or must, under this Act or a legislative instrument made for the purposes of this Act:
  - (a) make a decision; or
  - (b) exercise any power or comply with any obligation; or
  - (c) do anything else related to making a decision or exercising a power or complying with an obligation.
- (2) For the purposes of this Act or the legislative instrument, the Minister is taken to have:
  - (a) made a decision; or
  - (b) exercised a power or complied with an obligation; or
  - (c) done something else related to the making of a decision or the exercise of a power or the compliance with an obligation;

that was made, exercised, complied with or done by the operation of a computer program under an arrangement made under subsection (1).

*Substituted decisions*

- (3) The Minister may, under a provision of this Act or of the legislative instrument, make a decision in substitution for a decision the Minister is taken to have made under paragraph (2)(a) if the Minister is satisfied that the decision made by the operation of the computer program is incorrect.

Note: For review of a decision made in substitution, see Division 3 of Part 5.

- (4) Subsection (3) does not limit Division 3 of Part 5 (review of decisions about Australian travel documents).

#### **4 Application of amendments**

Section 56A of the *Australian Passports Act 2005*, as inserted by this Schedule, applies in relation to any thing done after the commencement of this item.