



Electoral and Referendum Amendment Regulations 2005 (No. 2)¹

Select Legislative Instrument 2005 No. 319

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984*.

Dated 15 December 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

ERIC ABETZ
Special Minister of State

1 Name of Regulations

These Regulations are the *Electoral and Referendum Amendment Regulations 2005 (No. 2)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Electoral and Referendum Regulations 1940*

Schedule 1 amends the *Electoral and Referendum Regulations 1940*.

Schedule 1 Amendment

(regulation 3)

[1] Schedule 1, table

substitute

Item	Agency or authority	Purpose
1	Australia Post	Investigating postal and criminal offences committed against the Commonwealth under the <i>Australian Postal Corporation Act 1989</i> or the <i>Crimes Act 1914</i>
2	Australian Communications and Media Authority	Identifying offences relating to interference with radiocommunications or telecommunications

Item	Agency or authority	Purpose
3	Australian Competition and Consumer Commission	<ul style="list-style-type: none"> (a) Identifying or locating offenders, suspects or witnesses (b) Verifying the identity of individuals for enforcement of the criminal law or of a law imposing a pecuniary penalty in relation to the <i>Trade Practices Act 1974</i>
4	Australian Crime Commission	<ul style="list-style-type: none"> (a) Collecting, correlating, analysing and disseminating criminal information and intelligence (b) Undertaking intelligence operations (c) Investigating matters relating to relevant criminal activity (d) Assembling or analysing evidence about offences and suspected offences (e) Conducting criminal and operational investigations to support authorised national security functions (f) Security vetting of employees or potential employees
5	Australian Customs Service (Customs)	<ul style="list-style-type: none"> (a) Verifying the identity or status of travellers and consignees of cargo or postal articles (b) Verifying the identity and status of importers and exporters (c) Investigating criminal offences and offences against legislation administered by Customs (d) Checking the accuracy of information given to Customs

Item	Agency or authority	Purpose
6	Australian Federal Police (AFP)	(e) Verifying the identity of individuals on behalf of:
		(i) the government of another country; or
		(ii) a law enforcement administration under an international agreement or arrangement
		(f) Surveillance purposes
		(a) Identifying or locating offenders, suspects or witnesses
		(b) Deciding whether suspects can be eliminated from an investigation
		(c) Target development
		(d) Intelligence checks
		(e) Protecting the safety of officers, staff members, AFP employees and special members
		(f) Law enforcement
7	Australian Securities and Investments Commission	(g) Surveillance
		(h) Identification of potential or actual disaster victims, and notification of victims' families
		(i) Security vetting of AFP officers or potential AFP officers
		(a) Identifying or locating suspects or witnesses
8	Australian Security Intelligence Organisation	(b) Surveillance
		(c) Law enforcement
		(a) Confirming the identity of Australian citizens to determine whether or not they are of security interest
		(b) Security vetting of employees or potential employees

Item	Agency or authority	Purpose
9	Australian Taxation Office (the Statutory Agency consisting of the Commissioner of Taxation and staff)	(a) Identifying or locating taxpayers (b) Preventing, detecting or investigating taxation fraud
10	Australian Transactions Reports and Analysis Centre	Conducting investigations in relation to the enforcement of: (a) the criminal law; or (b) a law imposing a pecuniary penalty regarding the <i>Financial Transaction Reports Act 1988</i>
11	Centrelink	(a) Preventing and detecting fraud relating to identity or incorrect payments (b) Locating persons who owe a debt to the Commonwealth
12	ComSuper (the Statutory Agency consisting of the Commissioner for Superannuation and staff)	Locating members and former members for the purpose of protecting public revenue in relation to the payment of benefits, the recovery of overpayments and the review of entitlement to benefit
13	Department of Agriculture, Fisheries and Forestry	Identifying individuals suspected of breaching legislation administered by the Australian Quarantine and Inspection Service
14	Department of Defence	Security vetting of employees or potential employees
15	Department of Education, Science and Training	Preventing, detecting or investigating fraud and other criminal offences in relation to the Department's programs and public money managed by the Department
16	Department of Employment and Workplace Relations	Identifying or locating suspects, debtors or witnesses in relation to criminal investigations

Item	Agency or authority	Purpose
17	Department of Foreign Affairs and Trade	<ul style="list-style-type: none"> (a) Confirming the identity of passport applicants or identifiers of documents (b) Verifying information relating to a passport or an application for a passport (c) Locating parents who have not lodged an application for a passport, in connection with seeking consent to issue a passport to a minor (d) Assisting in consular operations to locate next-of-kin in Australia
18	Department of Human Services	Identifying or locating clients for debt management, determination or correction purposes
19	Department of Immigration and Multicultural and Indigenous Affairs	<ul style="list-style-type: none"> (a) Facilitating travel to Australia, or entry to Australia, for an Australian citizen who may have lost his or her passport (b) Enabling airport officers to identify travellers and confirm their status (c) Assisting investigations and compliance staff in the detection of persons suspected of: <ul style="list-style-type: none"> (i) being in Australia unlawfully; or (ii) working without authority; or (iii) being involved in people smuggling; or (iv) committing offences against legislation administered by the Department

Item	Agency or authority	Purpose
20	Department of Veterans' Affairs	<p>(a) Undertaking reviews of, or research into, the health of former members of the Defence Force</p> <p>(b) Protection of the public revenue in relation to reviews of entitlement to benefit</p>
21	Director of Public Prosecutions	Verifying the identity of, or locating, persons of interest in relation to property ownership matters conducted under the <i>Proceeds of Crime Act 2002</i>
22	Insolvency and Trustee Service of Australia	<p>(a) Locating and investigating bankrupts and their associates in relation to obligations under the <i>Bankruptcy Act 1966</i></p> <p>(b) Conducting criminal investigations in relation to the <i>Bankruptcy Act 1966</i></p> <p>(c) Investigating identity fraud</p>

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.