

Australian Passports Amendment Determination 2010 (No. 2)

Explanatory Statement

The *Australian Passports (Application Fees) Act 2005* provides for a Minister's determination to specify fees in respect of applications for Australian travel documents. The fees specified in the *Australian Passports Determination 2005* (the 2005 Determination) have risen on a number of occasions since 2005.

The *Australian Passports Amendment Determination 2010 (No.2)* (the Amendment Determination) inserts a new fees schedule (Schedule 4) into the 2005 Determination, replacing the previous fees schedule. The new fees schedule provides for an increase in travel document fees on 1 January 2011, which was a commitment of the Government prior to the August 2010 election. The increase in the ordinary adult passport application fee to \$226 from \$208 was calculated using the year average growth Consumer Price Index since fees were last increased in July 2008. Other travel document application fees are being increased by the same percentage. The additional fees for replacing one lost or stolen travel document and priority processing are being increased to \$100 from \$69 and \$78 respectively.

The Amendment Determination also inserts new provisions into the 2005 Determination providing for the automatic annual indexation of fees for travel documents specified in Schedule 4 from 1 January 2012. The increases in fees will be calculated according to a formula based on the All Groups Consumer Price Index (being the weighted average of the eight capital cities).

The Amendment Determination is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*. It is noted that the instrument does not have a direct or substantial indirect effect on business or restrict competition. It is also noted that it is an instrument that gives effect, in terms announced in the Budget, to a decision to adjust a tax, fee or charge. As such, under section 18 of the *Legislative Instruments Act 2003* it is a type of instrument where the rule-maker may be satisfied that consultation is unnecessary or inappropriate.

The Department of Finance and Deregulation and the Treasury have been consulted.