

Senate Estimates – 14 February 2006: Strengthening ID Security / Document Verification Service

Expected Expenditure of Funds

The allocation of funds to the agencies participating in the DVS pilot is contingent upon the construction of certain components of the prototype DVS. As that work is now completed and Memoranda of Understanding have been signed we anticipate receiving invoices from the specified agencies in the near future.

The Department does not expect to carryover any funding from the initiative in relation to the prototype DVS.

	Allocation 2005-06 \$m	Expenditure to date \$m	Expected payment date	Allocation 2006-07 \$m	Notes
AGD	0.846	0.230	n/a	0.392	This allocation is for the overall national strategy, which includes the DVS pilot project plus other work being undertaken to develop the national strategy.
Office of Privacy Commissioner	0.150	0	March 2006	0.075	Overall national strategy including pilots
DIMA	1.690	0	April 2006		DVS pilot
DFAT	0.421	0	April 2006		DVS pilot
Centrelink	1.316	0	April 2006	0.030	DVS pilot
Austroads	0.052	0	April 2006		DVS pilot
Registrars of Births, Deaths & Marriages	0.089	0	Monthly invoices		DVS pilot
ATO	0.808		June 2006		Data Integrity pilot
State agencies	0.051		June 2006		Data Integrity pilot

LEGISLATION PROPOSED FOR INTRODUCTION IN THE 2006 AUTUMN SITTINGS

Bills marked * are proposed for introduction and passage in the Autumn sittings

AGRICULTURE, FISHERIES AND FORESTRY

Agricultural and Veterinary Chemicals Legislation Amendment (Data Protection) Bill

- complete the implementation of the regime of data protection in respect of agricultural and veterinary chemicals subject to review, amended arbitration arrangements and amendments linked to categories A and B which were introduced as part of the Australia-United States Free Trade Agreement legislation

Agriculture, Fisheries and Forestry Legislation Amendment Bill (No. 1)

- bind the Crown to the *Quarantine Act 1908* and amend the *Export Control Act 1982* to include in the definition of "preparation" the catching of fish, create an offence provision for a person who prepares goods for export that are not prepared in accordance with orders, facilitate the use of automated foreign country certification and clarify the range of services for which fees can be charged

Murray-Darling Basin Amendment Bill

- provide more flexible financial arrangements for River Murray Water, most importantly a renewals annuity for the water storage assets it manages. Introduce the principle that state contributions to River Murray Water will be in proportion to the service each receives from it

Plant Health Australia (Plant Industries) Funding Amendment Bill

- enable plant pest eradication levies and charges to be appropriated to Plant Health Australia

Primary Industries Levies and Charges Amendment Bill

- better protect government and industry interests in the imposition, collection and disbursement of primary industry levies

ATTORNEY-GENERAL'S

Bankruptcy Legislation Amendment (Fees and Charges) Bill *

- ensure that fees and charges payable to Insolvency and Trustee Service Australia reflect the cost of providing the services to which they relate

Law Enforcement Reform Bill *

- provide for the establishment, functions and powers of an Australian Commission for Law Enforcement Integrity, headed by a statutory Integrity Commissioner, as an independent body with special investigative powers to look into possible corruption in Australian Government law enforcement agencies and to recommend remedial measures, including prosecution, to the relevant authorities
- implement the government's response to the Fisher Review of Professional Standards in the Australian Federal Police

Telecommunications (Interception) Amendment Bill *

- implement the recommendations arising from the review of the regulation of access to communications and other measures to improve the operational effectiveness of the *Telecommunications (Interception) Act 1979*

Age Discrimination Amendment Bill

- provide for limited ongoing exemptions for certain Commonwealth laws, regulations and programs from the operation of the *Age Discrimination Act 2004*

ASIO Legislation Amendment Bill

- respond to the report of the Parliamentary Joint Committee on ASIO, ASIS and DSD on ASIO's questioning and detention powers

Australian Human Rights Commission Legislation Bill

- restructure, refocus and rename the Human Rights and Equal Opportunity Commission

Bankruptcy Legislation Amendment (Recovery of Excessive Superannuation Contributions) Bill

- allow a bankruptcy trustee to recover excessive voluntary superannuation contributions made by the bankrupt prior to bankruptcy

Copyright Amendment (Exceptions, Enforcement and Other Measures) Bill

- implement outcomes from government copyright law reviews during 2005
- introduce reforms in relation to the jurisdiction and procedures of the Copyright Tribunal and make minor miscellaneous drafting amendments

Copyright Amendment (Indigenous Communal Moral Rights) Bill

- provide moral rights to Indigenous communities in certain copyright works and films

Crimes (Superannuation Benefits) Amendment Bill

- prevent superannuation roll-overs from frustrating the objectives of the *Crimes (Superannuation Benefits) Act 1989*
- enable suspension of benefits of persons charged with or convicted of offences
- clarify obligations of superannuation entities to provide information prior to conviction and make other technical amendments

Criminal Code Amendment (Serious Drug Offences) Bill

- allow the new serious drug offences to take full effect by expanding the list of illicit substances that they cover
- improve national consistency of drug laws by implementing a nationally developed model schedule of illicit substances and threshold quantities

Customs Legislation Amendment (Border Compliance and Other Measures) Bill

- amend the *Customs Act 1901* and the *Customs Administration Act 1985* to enhance border controls, amend revenue collection methods and make other amendments

Customs Legislation Amendment (Revenue, Licensing and Other Measures) Bill

- amend the *Customs Act 1901* and other related legislation to make changes to revenue, licensing and other provisions

Customs Legislation Amendment (Valuation Provisions) Bill

- redraft the valuations provisions in Part VIII, Division 2 of the *Customs Act 1901* to give effect to the main recommendation of the *Review of the Customs Valuation Legislation*

Disability Discrimination (Productivity Commission Review) Amendment Bill

- amend the *Disability Discrimination Act 1992* (DDA) to implement the government's response to the Productivity Commission's review of the DDA to improve its overall efficiency and operation

Family Law (De Facto Relationships) Amendment Bill

- amend the *Family Law Act 1975* to implement references of legislative power to the Parliament of the Commonwealth by some states and territories on financial matters arising out of the breakdown of heterosexual de facto relationships

Judges' Pensions Amendment Bill

- amend the *Judges' Pensions Act 1968* to allow certain payments of superannuation contributions surcharge to be taken into account in determining a judge's pension rate; to ensure judges are not penalised by surcharge assessments made after they retire; and to reduce the maximum rate of surcharge from 15%

Jurisdiction of the Federal Magistrates Court Legislation Amendment Bill

- give the Federal Magistrates Court jurisdiction in certain matters

MARPLEX Implementation Bill

- provide for the implementation of the United Nations Convention on the Marking of Plastic Explosives for the Purposes of Detection

Native Title Amendment Bill

- improve existing processes for native title litigation and negotiation

Privacy Amendment Bill

- ensure that, in the event of an emergency or a disaster, Australian Government agencies can exchange personal information with each other, private sector organisations, non-government organisations and the states and territories
- implement review recommendations

COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS
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Archives Amendment Bill

- update the *Archives Act 1983* in accordance with current practice and assist the National Archives of Australia to promote good record-keeping across the Commonwealth

Broadcasting Services Amendment (Subscription Television Drama) Bill

- allow limited pre-production expenditure on script development to count towards the new eligible drama expenditure requirement
- allow qualifying expenditure in excess of the 10 per cent requirement to be carried forward and treated as new eligible expenditure in the following year

Radiocommunications Legislation Amendment Bill

- improve the radiocommunications legislative framework and enable the Australian Communications and Media Authority to more efficiently progress the market-based reforms underpinning this framework

DEFENCE

Defence Legislation Amendment Bill

- amend the *Defence Force Discipline Act* to give effect to recommendations of the 2001 *Report of an Inquiry into Military Justice in the Australian Defence Force* and to make amendments to facilitate a new charge disposal process
- amend the *Military Superannuation and Benefits Act 1991* to clarify issues surrounding the extent of the liability and indemnity of the Commonwealth Superannuation Administration and the Military Superannuation and Benefits Board

EDUCATION, SCIENCE AND TRAINING

Australian Nuclear Science and Technology Organisation Amendment Bill

- increase ANSTO's powers to provide greater assistance to government in the management of the Commonwealth's radioactive waste and to assist in the management of radioactive material in emergency situations

Australian Research Council Amendment Bill

- implement changes to the governance arrangements of the Australian Research Council in response to the government's decision to implement the recommendations of the *Review of the Corporate Governance of Statutory Authorities and Office Holders*

Education Services for Overseas Students Amendment Bill

- improve the operation of the *Education Services for Overseas Students Act 2000*, particularly through increased national consistency in the application of the legislation, and by ensuring that stakeholders are more aware of their rights and obligations under the legislative framework

Higher Education Legislation Amendment (2006 Measures No. 1) Bill

- make a range of minor technical amendments that are intended to enhance the operation of the *Higher Education Support Act 2003*

Student Assistance Amendment Bill

- allow for an additional 10% penalty for understatement of income from employment to apply to ABSTUDY customers consistent with the Welfare to Work measures

EMPLOYMENT AND WORKPLACE RELATIONS

Independent Contractors Bill *

- protect the status of independent contractors and minimise unnecessary regulatory constraints placed on them by workplace relations laws

ENVIRONMENT AND HERITAGE

Environment and Heritage Legislation Amendment (Antarctic Seals and Other Measures) Bill

- provide a range of measures to be included in a number of environment and heritage areas

Renewable Energy (Electricity) Legislation Amendment Bill

- amend the *Renewable Energy (Electricity) Act 2000* to clarify renewable energy sources, provide opportunities for solar and bioenergy technologies, enhance market transparency and improve overall efficiency of the Act

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS

Family and Community Services Legislation Amendment (2005 Budget and Other Measures) Bill *

- provide for the automatic uplift of customers' income estimates for family tax benefit (FTB) and child care benefit; introduce a maintenance income credit for FTB; increase the FTB Part A lower income threshold; and standardise the backdating provisions for carer allowance
- extend carer payment in relation to children with severe intellectual, psychiatric or behavioural disabilities and give customers greater choice and control in relation to income streams from small superannuation funds

Aboriginal Land Rights (Northern Territory) Amendment Bill

- amend the *Aboriginal Land Rights (Northern Territory) Act 1976* to strengthen provisions of the Act and improve their workability following reviews of the legislation by Mr John Reeves QC, the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs and the National Competition Policy

Corporations (Aboriginal and Torres Strait Islander) Miscellaneous and Transitional Bill

- provide for transitional provisions and consequential amendments necessary to give effect to the Corporations (Aboriginal and Torres Strait Islander) Bill and ensure that all replacement prescribed bodies corporate can become registered native title bodies corporate

Social Security and Family Assistance Legislation Amendment (Miscellaneous Measures) Bill

- limit child care benefit for registered care to the fee paid
- ensure that child care benefit is precluded for care provided as part of a compulsory education programme
- make other non-Budget amendments to social security, family assistance and housing administration aimed at enhancing and improving administrative efficiency and effectiveness

FINANCE AND ADMINISTRATION

Appropriation Bill (No. 3) 2005-2006 *

Appropriation Bill (No. 4) 2005-2006 *

- provide for additional expenditure on the ordinary annual services of government; capital financing, payments to or for the states and territories and new administered outcomes not authorised by specific legislation

Commonwealth Authorities and Companies Amendment Bill

- update provisions in the *Commonwealth Authorities and Companies Act 1997* (CAC Act) to take account of recent amendments to the *Corporations Act 2001*; enhance the accountability of Commonwealth companies; harmonise specific penalty provisions in the CAC Act with the *Corporations Act 2001* and clarify various provisions of the CAC Act

Financial Framework Legislation Amendment Bill

- align offences, penalties and enforcement powers in the *Public Accounts and Audit Committee Act 1951* with criminal law policy; and update, clarify and align other financial management and reporting provisions

FOREIGN AFFAIRS AND TRADE

Australian Trade Commission Amendment Bill

- implement the executive management corporate governance model as per the Uhrig Review of Corporate Governance of Statutory Authorities and Office Holders

Export Market Development Grants Amendment Bill

- extend the Export Market Development Grants (EMDG) scheme to the end of the 2010-11 grant year and implement certain improvements to the EMDG scheme

HEALTH AND AGEING

Cancer Australia Bill *

- implement 2004 election commitment to establish Cancer Australia as a statutory agency that will provide national leadership in cancer control; guide improvements to cancer prevention and care, to ensure treatment is scientifically based; coordinate and liaise between the wide range of groups and providers with an interest in cancer; make recommendations to the Federal Government about cancer policy and priorities; and oversee a dedicated budget for research into cancer

National Health Amendment (Fourth Community Pharmacy Agreement) Bill *

- provide for pharmacy location arrangements resulting from the Fourth Community Pharmacy Agreement

Aged Care Amendment (Extended Aged Care at Home) Bill

- bring Extended Aged Care at Home and Community Aged Care Packages under Community Care Subsidy Principles and provide the legislative basis for the application of User Rights Principle, to the benefit of service recipients

Health and Other Services Amendment (Compensation and Care Charges) Bill

- continue to allow claimants to pay 10 per cent of their judgement or settlement to the courts to cover their Commonwealth debt, allowing them immediate access to the remaining 90 per cent of their money (this facility will cease on 1 July 2006 if the sunset clause is not repealed)

Health Insurance Amendment (Professional Services Review) Bill

- enhance administration of the Professional Services Review Scheme

Health Legislation Amendment (Private Health Insurance) Bill

- increase the mediation powers of the Private Health Insurance Ombudsman
- remove the current approval process for outreach services and mainstream outreach services for the payment of private health insurance benefits

National Health and Medical Research Council Amendment Bill

- restructure the National Health and Medical Research Council as a statutory agency

Therapeutic Goods Amendment (Electronic Lodgement) Bill

- require the electronic lodgement of applications for manufacturing licenses
- change arrangements for scheduling of poisons and medicines

Therapeutic Products Bill**Therapeutic Products (Consequential Provisions) Bill****Therapeutic Products (Fees and Charges) Bill**

- implement a common regulatory scheme for therapeutic products for Australia and New Zealand, to be administered by a single Agency in both countries

IMMIGRATION AND MULTICULTURAL AFFAIRS
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Migration Amendment (Employer Sanctions) Bill

- amend the *Migration Act 1958* to impose sanctions on employers who recruit illegal workers

Migration Amendment (Migration Zone) Bill

- amend the *Migration Act 1958* to provide greater certainty in the definition of "migration zone"; clarify powers in relation to the detention of persons on board vessels; expand the definition of "excised offshore place" to include certain islands and territories in Northern Australia; and specify an "excision time" for the places that are added to the definition of "excised offshore place"

Migration Amendment (Visa Integrity) Bill

- amend the *Migration Act 1958* to strengthen provisions in relation to the integrity of the visa program and strengthen the provisions relating to the flow of information between the department and its clients

Migration Legislation Amendment (Border Integrity) Bill

- amend the *Migration Act 1958* to strengthen provisions in relation to border integrity; and amend the *Customs Act 1901* to ensure that the same reporting obligations exist under both migration and customs legislation

INDUSTRY, TOURISM AND RESOURCES

Intellectual Property Laws Amendment Bill

- amend the *Patents Act 1990*, the *Trade Marks Act 1995*, the *Designs Act 2003* and the *Plant Breeder's Rights Act 1994* to give effect to the outstanding aspects of the government's response to the Intellectual Property and Competition Review report and the Advisory Council on Industrial Property report on patent enforcement and to make other minor amendments

Liquid Fuel Emergency Amendment Bill

- amend the *Liquid Fuel Emergency Act 1984* in order to modernise it and improve its economic efficiency

National Measurement Amendment Bill

- introduce an average quantity system for packaging, which is an internationally agreed way of recognising that packages contain, on average, the quantity stated on the label

States Grants (Petroleum Products) Repeal Bill

- repeal of legislation authorising the Petroleum Products Freight Subsidy Scheme in preparation for initiatives proposed under the government's Fuel Excise Reform

Trade Marks Amendment Bill

- amend the *Trade Marks Act 1995* to implement a number of changes subsequent to a review of the Act. The changes will clarify uncertainties in the operation of the Act, implement policy changes that have occurred in the last decade since the Act was reviewed and make a number of minor corrections

TRANSPORT AND REGIONAL SERVICES

Inspector of Transport Security Bill *

- provide powers to support the activities of the Inspector of Transport Security, in particular powers relating to investigation and protection of information gathered for "no blame" investigations

Airports Amendment Bill

- reaffirm the original policy intention concerning land use planning and development at leased federal airports, particularly regarding s32
- refine the planning and development approval regime
- clarify the role that environment management systems play in the implementation of airport environment strategies

Airspace Bill

- create a head of power for an Airspace Authority to take over the airspace management function currently performed by Airservices Australia
- make amendments to the *Air Services Act 1995* and the *Civil Aviation Act 1988*

Aviation Transport Security Amendment Bill

- implement a number of changes to further enhance aviation security measures

Civil Aviation (Carriers Liability and Insurance) Bill

- implement the ratification by Australia of the 1999 Montreal Convention on carriers' liability
- improve the administrative regime for international airline licences and the designation of international airports

Maritime Legislation Amendment Bill

- amend the *Navigation Act 1912* to provide for revised jurisdiction between the Commonwealth and the States and Northern Territory for vessel safety regulation

Motor Vehicle Standards Amendment Bill

- implement two multilateral treaties and allow Australian vehicle standards to be harmonised with global standards

Protection of the Sea (Powers of Intervention) Amendment Bill

- clarify the status and scope of the Australian Government's power of intervention in Australia's Exclusive Economic Zone (EEZ) and align the scope of powers available to the Australian Government in the EEZ with that in the coastal sea

TREASURY

Tax Laws Amendment (2006 Measures No. 1) Bill*

- amend various tax acts

ASIC (Enforcement Powers) Bill

- enable ASIC to perform its role as regulator of consumer protection and market integrity in the financial services industry more effectively and efficiently through harmonised information-gathering, investigative and enforcement powers

Corporations Amendment Bill

- improve the rules for company general meetings and facilitate shareholder participation in corporate governance, while reducing the associated costs of such participation

Corporations (Miscellaneous Amendments) Bill

- rectify anomalies and drafting errors and make various minor, miscellaneous amendments in the *Corporations Act 2001* and the *Australian Securities and Investments Commission Act 2001*

Corporations (New Zealand Closer Economic Relations) Bill

- streamline the reporting requirements for Australian companies operating in New Zealand and New Zealand companies operation in Australia; and facilitate the mutual recognition between Australia and New Zealand of prospectuses and like documents relating to the offering of securities and interests in managed investment schemes

Financial Sector Legislation Amendment Bill

- give effect to aspects of the government's response to the HIH Royal Commission; strengthen and achieve consistency in the powers of the Australian Prudential Regulation Authority (APRA) to intervene in distressed financial institutions; enhance APRA's legal infrastructure across the prudentially regulated sectors and improve its consistency between those regulated sectors

Fuel Tax Bill**Fuel Tax (Consequential Amendments) Bill**

- introduce a new regime for the claiming of fuel tax credits that will replace the Energy Grants (Credits) Scheme and will also provide fuel tax relief to householders and businesses that are not eligible under the current scheme

Petroleum Resource Rent Tax (Amendments) Bill

- amend the petroleum resource rent tax to reduce compliance costs, improve administration and remove inconsistencies for taxpayers

Tax Laws Amendment (2006 Measures No. 2) Bill

- amend various tax acts

Tax Laws Amendment (2006 Measures No. 3) Bill

- amend various tax acts

Trade Practices Amendment Bill (No. 1)

- implement the government's response to the Senate Inquiry into the Effectiveness of the *Trade Practices Act 1974* in Protecting Small Business; and implement the Prime Minister's announcement of an additional Deputy Chairperson for the Australian Competition and Consumer Commission and for related purposes

Trade Practices Amendment Bill (No. 2)

- introduce criminal penalties for serious cartel conduct and for related purposes

Trade Practices Amendment Bill (No. 3)

- better regulate component pricing; and make amendments in relation to the regulation of Australian energy markets and for related purposes

Trade Practices Amendment Bill (No. 4)

- amend the *Trade Practices Act 1974* in response to the 2000 Ergas Review into intellectual property and for related purposes



Australian Government

Australian Fisheries Management Authority

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FISHERIES MANAGEMENT ACT 1991
DETENTION UNDER SUBCLAUSE 8(1) OF SCHEDULE 1A

Name of detainee:

Detention commences at: (time) on (date)

You are being held in detention pursuant to subclause 8(1) of Schedule 1A of the *Fisheries Management Act 1991* (Commonwealth).

Pursuant to clause 13 of Schedule 1A of the *Fisheries Management Act 1991* (Commonwealth) you will remain in detention until:

- (i) an officer or detention officer knows or reasonably believes that you are an Australian citizen or an Australian resident; or
- (ii) you are brought before a magistrate following a decision to charge you with an offence referred to in subclause 8(1); or
- (iii) a decision is made not to charge you with an offence referred to in subclause 8(1); or
- (iv) the end of 168 hours after the detention began;

whichever occurs first.

You will no longer be in detention under the *Fisheries Management Act 1991* (Commonwealth) upon one of the above conditions being met but you may be subject to Immigration Detention as an unlawful non-citizen under the *Migration Act 1958* (Commonwealth).

Signed

Signed

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Name of Officer

Name of Detainee

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Warrant Card Number or
Customs ID number:

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Date.....

Interpreter's Declaration

I,(name of interpreter and qualification rating), certify that I am fluent in the(insert language) and English languages and appropriately qualified to undertake this translation. I have made a faithful oral translation of this notice and believe that the detainee has understood the meaning of this notice. I have also I have made a faithful oral translation all conversations relating to the above notice between the above signed parties.

Signed

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Date

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TORRES STRAIT FISHERIES ACT 1984

**DETENTION UNDER SUBCLAUSE 8(1) OF SCHEDULE 2
DETAINEE WHO WAS ON A FOREIGN BOAT**

Name of detainee:

Detention commences at: (time) on (date)

You are being held in detention pursuant to subclause 8(1) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)*.

Pursuant to subclause 13(1) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)* you will remain in detention until:

- (i) an officer or detention officer knows or reasonably believes that you are an Australian citizen or an Australian resident; or
- (ii) you are brought before a magistrate following a decision to charge you with an offence referred to in subclause 8(1); or
- (iii) a decision is made not to charge you with an offence referred to in subclause 8(1); or
- (iv) the end of 168 hours after the detention began;

whichever occurs first.

You will no longer be in detention under the *Torres Strait Fisheries Act 1984 (Commonwealth)* upon one of the above conditions being met but you may be subject to Immigration Detention as an unlawful non-citizen under the *Migration Act 1958 (Commonwealth)*.

Signed

Signed

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Name of Officer

Name of Detainee

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Warrant Card Number or
Customs ID number:

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Date.....

Interpreter's Declaration

I,(name of interpreter and qualification rating), certify that I am fluent in the(insert language) and English languages and appropriately qualified to undertake this translation. I have made a faithful oral translation of this notice and believe that the detainee has understood the meaning of this notice. I have also I have made a faithful oral translation all conversations relating to the above notice between the above signed parties.

Signed

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Date

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TORRES STRAIT FISHERIES ACT 1984
DETENTION UNDER SUBCLAUSE 8(1) OF SCHEDULE 2
DETAINEE WHO WAS ON A PAPUA NEW GUINEA BOAT

Name of detainee:

Detention commences at: (time) on (date)

You are being held in detention pursuant to subclause 8(1) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)*.

Pursuant to subclause 13(2) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)* you will remain in detention until:

- (i) an officer or detention officer knows or reasonably believes that you are an Australian citizen or an Australian resident; or
 - (ii) an officer believes that you did not commit an offence described in subclause 8(1); or
 - (iii) an officer finishes investigating whether you committed an offence described in subclause 8(1); or
 - (iv) at the end of 72 hours after the detention began;
- whichever occurs first.

You will no longer be in detention under the *Torres Strait Fisheries Act 1984 (Commonwealth)* upon one of the above conditions being met but you may be subject to Immigration Detention as an unlawful non-citizen under the *Migration Act 1958 (Commonwealth)*.

Signed

Signed

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Name of Officer

Name of Detainee

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Warrant Card Number or
Customs ID number:

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Date.....

Interpreter's Declaration

I,(name of interpreter and qualification rating), certify that I am fluent in the(insert language) and English languages and appropriately qualified to undertake this translation. I have made a faithful oral translation of this notice and believe that the detainee has understood the meaning of this notice. I have also I have made a faithful oral translation all conversations relating to the above notice between the above signed parties.

Signed

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Date

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TORRES STRAIT FISHERIES ACT 1984
DETENTION UNDER SUBCLAUSE 8(1) OF SCHEDULE 2
PAPUA NEW GUINEANS ON FOREIGN BOATS

Name of detainee:

Detention commences at: (time) on (date)

You are being held in detention pursuant to subclause 8(1) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)*.

Pursuant to subclause 13(3) of Schedule 2 of the *Torres Strait Fisheries Act 1984 (Commonwealth)* you will remain in detention until:

- (i) an officer or detention officer knows or reasonably believes that you are an Australian citizen or an Australian resident; or
- (ii) an officer believes that you did not commit an offence described in subclause 8(1); or
- (iii) an officer finishes investigating whether you committed an offence described in subclause 8(1); or
- (iv) at the end of 72 hours after the detention began;

whichever occurs first.

You will no longer be in detention under the *Torres Strait Fisheries Act 1984 (Commonwealth)* upon one of the above conditions being met but you may be subject to Immigration Detention as an unlawful non-citizen under the *Migration Act 1958 (Commonwealth)*.

Signed

Signed

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Name of Officer

.....
Name of Detainee

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Warrant Card Number or
Customs ID number:

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Date.....

Interpreter's Declaration

I,(name of interpreter and qualification rating), certify that I am fluent in the(insert language) and English languages and appropriately qualified to undertake this translation. I have made a faithful oral translation of this notice and believe that the detainee has understood the meaning of this notice. I have also I have made a faithful oral translation all conversations relating to the above notice between the above signed parties.

Signed

Date

CMR Un-scheduled outages since 12 October 2005

Date	Duration	Description
Friday 10-Feb-06	30 minutes	09:25 – 09:55, Requests to login to the CI external part of the system were rejected during this time due to the stopping and restarting of the server that processes these requests. This activity was not scheduled to occur or initiated by technical staff and the incident is under investigation. EDI was not impacted. CI users who were already in the system at that time were not impacted.
Tuesday 24-Jan-06	2 hrs 25 min	08:00 - 10:25, A power fault caused by a faulty cooling fan resulted in external access both CI and EDI to stop. Some requests to login to the system failed until 13:45, however all EDI and the majority of CI users were back on the system by 10:25.
Monday 16-Jan-06	5 hrs 16 min	03:00 - 08:16, CI external was unavailable due to errors implementing a scheduled change to add additional redundancy to the CCF login services.
Wednesday 21-Dec-05	45 minutes	03:00 – 03:45, ICS Version 6.4.08 had to be backed out due to a configuration error. The window to implement V6.4.08 was scheduled for 01:00 to 03:00. The error caused the window to run until 03:45, preventing access to the system until that time.
Monday 19-Dec-05	16 minutes	10:05 – 10:21. The program that validates the security of EDI messages stopped at 10:05 and needed to be restarted.
Saturday 17-Dec-05	2 hrs 40 min	03:00 – 05:40 The service that transfers EDI E-Mails from the Internet and direct connections to Customs failed at 03:00. EDI was impacted. CI was not impacted.
Monday 12- Dec-06	45 minutes	03:00 - 3:45 The processes that backs up ICS data, took longer than expected. This operation took until 3:45 to complete, preventing access to the ICS until that time.
Wednesday 30-Nov-05	45 minutes	17:30 – 18:15. An error in 3 rd party system monitoring software caused a significant slowdown in ICS processing. 45 minutes was required to turn off the software causing the issue and restart the system.
Monday 17-Oct-05	36 minutes	16:20 – 16:56. The ICS Mainframe production environment experienced a system software error that slowed down processing and required the system to be restarted.
Friday 14-Oct-05	1 hour	12:05 – 13:05 The ICS Mainframe application was unable to process transactions, due to a DB2 Database Subsystem failure.
Thursday 13-Oct-05	1 hour	13:00 – 14:00 ICS mainframe application failed due to errors accessing the ICS Database.

CMR Availability by month for 2005-06

The availability of the system is measured on a monthly timeframe. It is measured on a 24 hour a day, 7 day a week basis, with the exclusion of 2 hours from 01:00 to 03:00 on Mondays and Wednesdays for systems maintenance.

The measurement represents the overall percentage of time that CI External and EDI services were available to external users.

Month	Availability
July 05	97.08%
August 05	99.41%
September 05	99.22%
October 05	99.64%
November 05	99.89%
December 05	99.39%
January 06	98.93%
Average	99.08%

13 February 2006

SUBJECT:

WORKFORCE DATA

TALKING POINTS:

- Actual staffing as at 26 January 2006:

Business	Number	Recruits in Training
International and National Operations (not including PS)	1935	39 (to go to ACT Policing during 2006)
ACT Policing	897	
Enabling Services	976	
State police attached to IDG	74	
Sub -Total	3882	39
PS	1406	39
Total AFP, PS + State	5288	78

Ratio of Sworn : Unsworn Staff (including PS – Output 1.4):

	Sworn	Unsworn	Ratio
AFP	2385	1423	1.7:1
PS	1224	182	6.7:1

- The current ratio of sworn to unsworn staff in Outputs 1.1 to 1.3 reflects the recruitment of specialist skills to supplement operational and investigational skills.

	Airport Commander	JAIT	Community Policing Numbers	Timeframe for Community Policing	Status of MOU
Adelaide	Officer in place	6 AFP in place	22 - 24 from SAPol	Unknown	Negotiations Continuing
Alice Springs	Officer in place		12 from NTPol	Gradual roll-out, full complement by March 2007	Negotiations Continuing
Brisbane	Officer in place	6 AFP and 2 ACS in place	41- 60 from QPol*	Half by end of 2006, remaining half by end of 2007	Negotiations Continuing
Canberra	Officer in place		20 from AFP	In place	MOU being considered
Cairns	Officer in place		26 - 30 from QPol*	Half by end of 2006, remaining half by end of 2007	Negotiations Continuing
Darwin	Officer in place		27 from NTPol	Gradual roll-out, full complement by March 2007	Negotiations Continuing
Gold Coast	Officer in place		26 - 30 from QPol*	Half by end of 2006, remaining half by end of 2007	Negotiations Continuing
Hobart	Officer in place		12 from TasPol	8 to 12 weeks	In Principle agreement, nearing completion
Melbourne	Officer in place	6 AFP and 2 ACS in place	55 from VicPol	10 by May 2006, full complement by December 2006	In Principle agreement, nearing completion
Perth	Officer in place	6 AFP and 2 ACS in place	WAPol prefer training AFP to officer secondment. AFP may need to provide 41	Unknown	Negotiations Continuing
Sydney	Officer in place	6 AFP and 2 ACS in place	70 from NSWPol	Not before end of 2006	Negotiations Continuing

Intelligence 49 AFP and 7 ACS positions have been advertised. DIMA and ASIO are to provide Airport staff on a needs basis

* = Numbers are still subject to negotiation