



13<sup>th</sup> February 2007

Ms Jackie Morris  
Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Ms Morris,

### INQUIRY INTO AUSCHECK BILL 2006

Thank you for the opportunity to comment on the subject Bill.

Members of the aviation industry have become accustomed to having to provide personal information for AFP/ASIO vetting in order to obtain ASIC as a pre-requisite for some forms of employment and for access to RPT airport security areas. Consequently the over-riding issue of the gathering and retention of such personal information is accepted as a necessary evil, given the current security climate.

On the next issue, the establishment of a centralised agency within the Attorney General's Department to fulfil this task, the RAAA similarly has no objection. The considerable advantages accruing from having a central vetting agency for security related matters, with a centralised database, are recognised and readily accepted. However the RAAA also recognises that additional benefits would accrue from implementation of Recommendation 4 of the Joint Committee of Public Accounts and Audit's Report 409, that AusCheck 'be charged with responsibility for the issue of these cards' (ASIC and MSIC). Consequently it is recommended that the Bill be amended to include making AusCheck responsible for the centralised issue of ASIC and MSIC in addition to vetting. Such a change would raise the issue of loss of revenue for those who have already purchased ASIC machines, but since the overall volume of cards to be issued, and therefore the demand for the machines would presumably remain largely unchanged, this could be addressed with some sort of buy back arrangement by AusCheck or a contractor appointed by AusCheck. There may be other valid ways of resolving this matter, but in any event, the benefits from having the whole ASIC/MSIC vetting and issuing centralised in AusCheck should not be lost because of an essentially administrative issue.

Should AusCheck become the sole vetting and issuing agency, we would expect to see a more efficient and timely response to applications than is currently the case. Delays in the issue of ASICs are currently excessive and costly for both operators and prospective employees. It will be most important for AusCheck to exercise care to minimise delays in developing its processes for physically issuing ASICs to recipients especially in the more remote areas.

The RAAA has no position on the privacy provisions, and will leave those matters to experts in that field to consider.

The final issue raised by the Bill, the matter of cost recovery, is an issue of fundamental concern to the RAAA. Anti-terrorist security measures in general are aimed primarily at defending the broader community against terrorist attack rather than safeguarding the industry's aircraft, airports and passengers. Its cost should therefore not be recovered from the industry, but should be funded from the public purse. We see this as an important matter of principle, and the RAAA is strongly opposed to the whole concept of security measures cost recovery from the aviation and maritime industries.

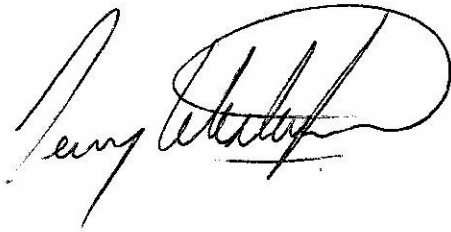
Quite apart from the issue of the reasonableness or otherwise of cost recovery for security measures, is the question of potential effect. The continuing use of the aviation industry to subsidise the cost of national security is putting undue financial pressure on regional aviation (and other segments of the industry) at a time when regional aviation is still struggling to recover from its near collapse following the events of 2001, and potentially still to feel the full impact of the what is possibly the worst drought in the recorded history of our nation. There is a finite limit to the additional government charges which the industry can bear and still operate. If the imposition of security measures at industry's cost were to result in any loss of services to the community, then the terrorists would clearly have achieved their goal, aided and abetted by the very measures designed to provide a defence against them.

The recovery from industry of the costs of the AusCheck operation, as proposed by the Bill, should be seen as just one more straw on the camel's back. We would strongly urge the Committee to review the whole issue of cost recovery for security measures in general, and in particular to remove the requirement for cost recovery from the AusCheck Bill 2006.

In summary, we strongly support the main thrust of the Bill, but think that it does not go quite far enough. The Bill should also make AusCheck responsible for issuing ASIC/MSIC. On the other hand, we oppose the idea that the aviation and maritime industries should in effect be selectively taxed to pay for national defence, which is clearly a government responsibility and should therefore be publicly funded.

Thank you again for the opportunity to comment.

Yours faithfully,



**Terry Wesley-Smith**  
Chief Executive Officer