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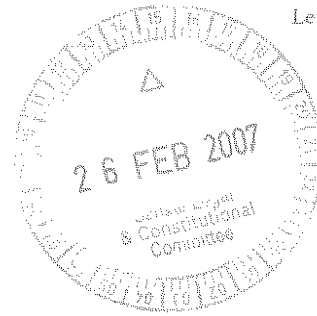
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fch/007/auscheckbillet21feb07

21 February 2007

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



Dear Ms Morris

### **Inquiry into the AusCheck Bill 2006**

I am writing to you on behalf of the members of Shipping Australia Limited (SAL) regarding the Senate Legal and Constitutional Committee inquiry into the AusCheck Bill 2006 and wish to thank you for the opportunity to comment on it.

Shipping Australia Ltd (SAL) is a peak shipowner body representing thirty eight shipping companies and shipping agents, as well as a similar number of corporate associate members established both to promote and advance the interests of ship owners and shipping agents in all matters of shipping policy and safe, secure and environmentally sustainable ship operations. In addition Shipping Australia represents a number of shipping lines that are parties to Agreements registered under Part X of the Australian Trade Practices Act.

SAL's membership covers many of the major Australian and international ship owners, operators and agency companies involved in bulk, tanker, general cargo shipping, container, passenger and tramp trades.

As an organisation which represents 72 shipping lines and corporate associates, in Australia, Shipping Australia Ltd is in a unique position to reflect the views of all shipping companies servicing the Australian trades and to effectively represent their needs, helping shape and promote the policies of the shipping industry in Australia and internationally.

In general our Members are in favour of the general thrust of the Bill which will provide a regulatory framework for coordinating and conducting centralised background criminal and security checking by the Attorney-General's Department of applicants for the Aviation Security Identity Card and the Maritime Security Identity Card, and *any subsequent schemes*.

SAL is not opposed to the 'skeleton' of the Bill being used for *any subsequent schemes*, and in principle we agree to having regulation in place that can be adopted for other purposes in a short period of time with the resulting cost benefits. However we would strongly object if it is assumed that there is there is a right to recover costs on a 'user pays' basis.

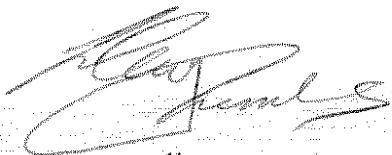
Whilst we acknowledge that the Federal Government had decreed that the total costs for AusCheck would be recovered from the users [those who require an Aviation Security Identity Card (ASIC) and/or the Maritime Security Identification Card (MSIC)] and not from a general call on tax, our members are opposed to paying for any increase in charges associated with MSIC's.

The current cost of carrying out background checks is \$ 49 (for AFP/ASIO checks), with the DOTARS absorbing the additional costs of maintaining the MSIC system. AusCheck's proposed cost for 2007/2008 to carryout a background check for a new MSIC is \$ 90 and for a renewal \$ 80 (those who have MSIC and an ASIC). SAL is checking the veracity of these charges with AusCheck. Our members are of the view that DOTARS should continue to fund the services of AusCheck.

In our discussions with Government SAL has consistently stated that costs associated with security and the safeguarding of the country, its citizens and its infrastructure is a fundamental duty of the Government, therefore these charges should not be levied on a 'user pays' basis, but met out of Government funds as a 'community service obligation'. Our members remain opposed to the idea of cost recovery for security.

Members of SAL are also of the view that AusCheck should take over the responsibility not only for coordinating and conducting centralised background criminal and security checking, but also take over the role of the 'Issuing Body' of the MSIC's. This would then result in greater efficiencies and be more economical for the Government and the participants.

Yours sincerely



Elew Russell  
**Chief Executive Officer**  
**Shipping Australia Limited**