

Citizenship

MUST BE COMPLETED IF YOU ARE NOT AN AUSTRALIAN CITIZEN

If you are NOT an Australian citizen, **please attach a copy of your Visa/Immigration documents** to the application form and complete the following section. In addition, **you must provide your own VEVO check** (details below) prior to submitting your ASIC application. ASIC applications will not be accepted if the VEVO check has not been received by the BAC ID & Access Centre.

Passport or Travel Document Number used to enter Australia: _____

Date of Arrival into Australia (Mandatory): _____

Port of Arrival into Australia (Mandatory): _____

Current Visa Information (Mandatory): Visa Grant Number _____

Flight Number (if known): _____

Name of Vessel (if known): _____

Family Name of Parent (if entered Australia on parent's passport): _____

Given Name(s) of Parent (if entered Australia on parent's passport): _____

VEVO Check: www.homeaffairs.gov.au and follow links to conduct VEVO check.

Send a copy of VEVO confirmation direct from VEVO to BAC at vevo@bne.com.au.

Please see the general information sheet for more information.

Endorsement

APPLICATIONS WILL NOT BE PROCESSED WITHOUT THIS INFORMATION

- Do not complete this section if you are a Tenant on Airport unless you are endorsing another Company.
- The section below must be completed by the Authorised Signatory held on file by BAC of the Airport organisation for which your company will be performing work.
- For all BAC contractors, a BAC Project Manager's signature is required below.

Print Name _____ Company _____

Email _____ Telephone _____

Signature _____ Date _____

Must be original, scanned signatures not accepted.

To be completed by Applicant's Employer

Please circle the type of card required below:

BNE → **BNE ASIC** - Valid for Brisbane Airport only

AUS → **MULTIPLE AIRPORT ASIC (AUS)** - For **all** AUS applications a letter is required from the employer stating the reasons for such a requirement. This letter is to include details as to the number of times particular airports will be frequented and in what capacity the applicant will be acting.

EMPLOYER CERTIFICATION

Must be completed by the approved authorised signatory registered with BAC. This is the person to whom all correspondence will be sent. The authorised signatory is responsible for ensuring all staff collect their ASIC's in a timely manner and ensure the safe and immediate return of ASIC as required.

I, _____ of _____
(Print Name - Authorised Signatory) (Company Name)

confirm that the applicant and employer details are correct and confirm the person has an operational need for frequent access to all or part of one or more areas at the Airport and request that an Aviation Security Identification Card be issued to **(Applicant's Name)** _____

I undertake to notify Brisbane Airport Corporation of any changes to the above particulars, and to ensure the return of the Aviation Security Identification Card prior to the applicant leaving our employ, or upon transfer of the applicant to a position which does not require retention of the card.

BUSINESS ADDRESS (Print Only) _____

POST CODE: _____

PHONE: _____

E-MAIL: _____

I agree to the above terms and conditions

SIGNATURE: Must be original, scanned signatures not accepted.

DATE: _____

OFFICE USE ONLY

RECEIPT

I, _____ acknowledge receipt of Aviation Security Identification Card No. BN _____ which remains the property of the Brisbane Airport Corporation and is on loan to me only whilst I am employed in my current capacity. I agree to notify Brisbane Airport Corporation of any changes to my personal particulars. I understand my ASIC is to be returned to the BAC ID & Access Centre immediately on expiry, cancellation or if no longer required.

Signature: _____

Date: _____

Issuing Officer: _____

ORIGINAL IDENTIFICATION DOCUMENTS SIGHTED

CATEGORY A

CATEGORY C

CATEGORY B

CATEGORY D

IDENTIFICATION CONFIRMED

SIGNATURE VERIFICATION CONFIRMED

OFFICE USE ONLY

Application Lodged		
Date	Initials	
Initial Issue <input type="checkbox"/>		
Previously Held ASIC <input type="checkbox"/>	ASIC No.	Expiry Date
Date Returned for Destruction		
Date Statutory Declaration Lodged	LOST / STOLEN / DESTROYED	

AUSCHECK <input type="checkbox"/> Required <input type="checkbox"/> Current	Date sent to Auscheck	Date Cleared
DIAC Required <input type="checkbox"/> Required <input type="checkbox"/> Current	Date sent to Auscheck	Date Cleared
COMMENTS		

APPROVED/DENIED	Approving Officer
Pass Type BNE / AUS	Area Designator RED / GREY
Comments	

Application Finalised		
Date	Initials	
Station: BNE	Expiry Date: Month Year	

APPLICATION FEE:

Amount \$.00 **Cash/Cheque/Credit Card/Eftpos/Money Order**

RECEIPT NUMBER

BOND ROLLED OVER – Individual/Company Receipt No.

Date Paid:

Identification Documents Requirements

You must attach a clear photocopy of one document from each category below. All documents must have an exact name match or you must provide a linking document proving how your name has changed.

PLEASE NOTE: *The original documents of the photocopies that are attached to the Application Form must be presented when collecting an ASIC or when the ASIC application is submitted at the ID & Access Centre.*

Category A – Must not be laminated

- ♦ Australian Citizenship Certificate (*Note: photocopy both sides if there is a number on the back*) or
- ♦ Australian Birth Certificate (no extracts) or
- ♦ Immicard + VEVO email (sent directly to Issuing Body at vevo@bne.com.au) or
- ♦ VISA + VEVO email (sent directly to Issuing Body at vevo@bne.com.au) must be supported by a passport which can be expired

Category B

- ♦ Valid Australian or Foreign passport or
- ♦ Valid Australian Drivers Licence, Learners Licence or Foreign Drivers licence – must include photo & signature and be in english or
- ♦ Australian proof of age card issued by an Australian Commonwealth, State or Territory government

Category C

- ♦ Medicare Card or
- ♦ Marriage Certificate or
- ♦ Divorce Order or
- ♦ Government employee identity card or
- ♦ Military Identification or
- ♦ Student ID issued by an Australian TAFE, university or registered training organisation (RTO) or
- ♦ Credit Card or ATM card – (must have first name and surname not initials) or
- ♦ Pension or health care card or
- ♦ Payslip less than 6 months old with company details eg. ABN

Category D

- ♦ Utility account (gas, water, electricity, Telephone, internet) or bank account statement must be less than 6 months old – (must have first name and surname not initials) or
- ♦ Your current address on your valid Australian Drivers Licence or
- ♦ Rates notice or land valuation notice (must have first name and surname not initials) or
- ♦ Tenancy Agreement

Acceptable Change of Name Documents (if the name on your ID is not an exact match)

- ♦ Marriage Certificate
- ♦ Change of Name Certificate
- ♦ Deed Poll Document

GENERAL INFORMATION

- If you are new company on Airport please contact the ID & Access Office – id.access@bne.com.au for information on how to set up for ASIC issue.
- Clear photocopies of one document from each Category A, B, C & D must be attached to the ASIC application form. Including an acceptable change of name document if the names on the ID are not an exact match.
- When your ASIC is ready for collection you will be required to present at the ID & Access Centre in person with the exact 4 original documents (no certified copies allowed) that you have photocopied for a face to face identity check.
- All signatures on the form must be original not scanned.
- ID Documents that are not in English must be accompanied by an original professional translation of the document. BAC recommends translators accredited by the National Accreditation Authority for translators and interpreters (NAATI) at www.naati.com.au
- If you have resided in a foreign country(s) within the proceeding 10 years to this application for more than 6 continuous months you must assure BAC that you have no criminal history for that country(s). To comply with this requirement you must provide a Statutory Declaration (available from this office) stating that you have no criminal history in those country(s).
- All applicants who are not Australian Citizens must conduct their own VEVO check. The VEVO website must send the VEVO check directly to vevo@bne.com.au (see Citizenship section of the form for further information).
- New Zealand citizens will need to obtain their VISA Grant Number from the Department of Immigration before conducting a VEVO check.
- Payment of the application fee must be paid at the time the application is submitted. Fees are payable by Cash, Cheque (payable to BAC), Eftpos and Credit Card including Amex
 - **Initial & Renewal application - \$220**
 - **Replacement ASIC (lost/stolen/change company) - \$100**
 - **Under 18 - \$100**

Conditions of Issue for all Cards

PLEASE READ CAREFULLY AND RETAIN THIS PAGE
FOR YOUR INFORMATION

YOU WILL BE ASSESSED ON THE FOLLOWING INFORMATION

- An ASIC is valid for a maximum of 2 years and must be kept in a secure location when not in use.
- An ASIC approved for issue by Auscheck and unclaimed 3 months after the first notification to the employer will be cancelled.
- An ASIC must be properly displayed at all times when the holder is in a security controlled area at Brisbane Airport. Properly displayed means that it must be worn on the front or side of the body, above the waist and fully visible. Penalties of up to \$900 can apply.
- ASICs are issued on a personal basis, are not transferable under any circumstances and must not be defaced or damaged. Penalties of up to \$2100 can apply.
- If you are supervising the holder of a visitor identification card (VIC), then you must escort them at all times in accordance with the regulations.
- An ASIC must be presented for inspection on demand from an authorised security officer or any other ASIC holder. Penalties of up to \$2100 can apply.
- Loss of an ASIC is to be reported immediately to BAC ID & Access Centre during business hours (3406 3057) or the BAC Duty Terminal Manager outside business hours (3406 3171), Brisbane Airport. Penalties of up to \$2100 can apply.
- An ASIC is to be surrendered on expiry, change of company or termination of employment to BAC ID & Access Centre, as soon as practicable within 30 days, or on request from the BAC ID & Access Manager or his/her delegate. Penalties of up to \$2100 can apply.
- An ASIC can only be used in the course of the holder's *approved employment duties* in the security restricted areas. It does not constitute an authority to enter or remain in a security restricted area for any other purpose. Penalties of up to \$900 can apply.
- A person must not intentionally use an identity card, or another type of card, to gain access to a security restricted area of an airport, if he or she knows, or believes, that the card is not a valid ASIC. Penalties of up to \$2100 can apply.
- If there are any changes in circumstances to any part of your information on your application, including the Acknowledgement page, or if the holder changes his/her name and/or address, then the holder must, as soon as practicable within 30 days, notify the BAC ID & Access Centre. The holder may be asked to complete a new application form, and BAC may also need to obtain relevant security checks. Penalties of up to \$900 can apply.
- If the holder of an ASIC is convicted and sentenced for an ASRO (Aviation Security Related Offence) the ASIC holder must notify the BAC ID & Access Centre of the details of the offence within 7 days. Penalties of up to \$900 can apply.
- The applicant acknowledges that the holder of an ASIC and the holder's belongings and vehicle may be subject to a search or inspection by an authorised Airport Officer before entering or while within any designated security restricted area at Brisbane Airport.
- Incorrect use of an ASIC or access provision can result in the immediate suspension and withdrawal of the ASIC and access privileges. BAC will determine the period of that suspension, having regard to the way it was misused. An ASIC may also be permanently cancelled in certain circumstances.
- The entire airside at Brisbane Airport is designated as a No Smoking Area. Smoking is prohibited in all airside areas including inside vehicles that are airside. Penalties for smoking airside can apply including withdrawal of access privileges.

Conditions of Issue for all Cards (Cont.)

- ♦ An ASIC remains the property of BAC at all times.
- ♦ By completing and signing this application form, the applicant represents that he or she has the authority of his or her employer to enter into this contract on behalf of both himself or herself and his or her employer, and that the applicant, as well as his or her employer, has agreed to be bound by the above conditions of issue and be responsible for any breaches of the conditions of issue by the holder of the card.

ACCESS OBLIGATIONS

The ASIC has provision for the inclusion of access. Access is only provided to those requiring access to BAC security controlled areas and zones.

The following are the conditions of issue for access:

- a) An ASIC is only to be used for the employment purposes allocated.
- b) An ASIC is not transferable.
- c) The ASIC is only to be used whilst on duty and the holder has a legal reason for being in the area.
- d) Individuals are responsible for ensuring that:
 - ♦ All doors are closed and securely locked behind them.
 - ♦ They have no tailgaters when entering secure areas.
- e) If you provide access to an individual, open a door or have an individual follow you through, you must ensure that they are displaying a valid ASIC.

Failure to adhere to these conditions will result in the immediate withdrawal of access privileges and/or ASIC.

ENTRY TO CUSTOMS CONTROLLED AREAS:

Holders of an ASIC are advised of their additional responsibilities in Customs Controlled Areas. It is not intended to restrict or limit approved persons from undertaking legitimate official or commercial activities in Customs Controlled Areas at Brisbane Airport.

Section 234AA of the Customs Act 1901 defines a place used by officers for Customs purposes and prohibits entry of unauthorised persons into these places.

The areas subject to restrictions are on Levels 1, 2 and 3 of the Brisbane International Terminal and are identified by Customs Restricted Area signs that state entry into the areas by unauthorised is prohibited.

Please note: All persons (including authorised persons) in Customs Controlled Areas may be asked by an Australian Border Force Officer the purpose for their presence in the area, and that Officer may also examine any goods carried by persons into, or out of, that area.

Airport employees (authorised persons) **who are off duty** from their normal employment **and/or are not engaged in their normal commercial or official activities** will require permission from the Superintendent Aviation Travellers (Brisbane Airport) Australian Border Force, to enter Customs Controlled Areas.

Access to Customs Controlled Areas will be limited to those areas where an authorised person has legitimate commercial or official activities unless otherwise approved by the Superintendent Aviation Travellers (Brisbane Airport) Australian Border Force. Permission must also be obtained when an authorised person wishes to meet or assist family or friends arriving or departing within Custom Controlled Areas of the terminal. Permission will not normally be granted unless there are extenuating and/or compassionate circumstances. Requests for permission, providing detailed reasons why access is being sought, should be sent to the Superintendent Aviation Travellers (Brisbane Airport) Australian Border Force, Brisbane Airport. Requests should be made in a timely manner.

Acknowledgement

YOUR CRIMINAL HISTORY: CRIMINAL CHARGES, CONVICTIONS and "findings of guilt"

NOTE: "Findings of guilt" must be disclosed, **including where you may have been charged and found guilty but no Conviction was recorded.** You are not required to disclose any "spent convictions" under any Commonwealth, State or Territory legislation.

- | | | |
|---|---------------------------------|--------------------------------|
| (i) Are you the subject of any traffic violation, criminal or traffic charge(s) still pending before a court? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| (ii) Have you ever been interviewed by police or other similar authority as a suspect in relation to any criminal offence? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| (iii) Do you have any type of finding(s) of guilt or conviction(s) as an adult which are less than 10 years old, or as a juvenile which are less than 5 years old? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| (iv) Do you have any type of finding(s) of guilt or conviction(s) as an adult which are more than 10 years old, or as a juvenile which are more than 5 years old, which do not classify as spent conviction? (For a definition of a spent conviction please refer to the AusCheck Privacy Notice Information) | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| (v) Do you have any conviction(s) or finding(s) of guilt which are over 10 years old, (or five 5 years for juvenile conviction(s) or finding(s) of guilt) where the sentence imposed was <u>greater</u> than thirty 30 months imprisonment? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |

If you answered YES to any of the above questions, please provide details:

PROVISION OF FALSE OR MISLEADING INFORMATION

By signing and dating this form you acknowledge that the personal information you have provided on this form is correct. If it is subsequently discovered, as a result of a check of police records, that you have provided false or misleading information, you may be assessed as unsuitable to receive an ASIC.

You should note that the existence of a record does not mean that you will be assessed automatically as being unsuitable to receive an ASIC. Each case will be assessed on its merit, hence it is in your interest to provide full and frank details on the form.

I.....understand

(Full name – IN BLOCK LETTERS)

that I am applying for a security identification card for the aviation industry. The information that I have provided in this application is correct to the best of my knowledge.

I understand that my personal information will be used by AusCheck to co-ordinate a background check through the Australian Security Intelligence Organisation (ASIO), CrimTrac and the Department of Immigration and Border Protection (DIBP), where necessary.

I have read and understood the Privacy Information statement enclosed which explains how AusCheck will use my personal information.

Signature..... Date/...../.....

Must be original, scanned signatures not accepted.

(SIGNATURE CANNOT BE MORE THAN 3 MONTHS OLD). Note: The information you provide on this form and which AusCheck provide to this organisation on receipt of the form, will be used only for the purpose stated above, unless statutory obligations require otherwise.



Permanent Residential Address Over Last Ten Years

Full dates and previous 10 years of addresses must be provided. Attach list if insufficient room
Applications will not be accepted without full address details and dates.

Current Address:
Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to Present

Previous Addresses:
Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

Street Address _____
Suburb _____ State _____ Postcode _____
Period of residence / / to / /

- the decision making process and considerations
- processing times and outcome notification
- discretionary cards
- appeal processes
- obligations to self-report
- legislation relating to AusCheck.

You can see the website at:

<https://www.homeaffairs.gov.au/about-us/ourportfolios/criminal-justice/crimeprevention/auscheck>.

You can contact an AusCheck staff member with any questions or complaints on (02) 6141 2000 or at AusCheck@homeaffairs.gov.au.

BAC Privacy Statement

Brisbane Airport Corporation Pty Ltd (**BAC**) collects the personal information in this application to determine eligibility for an Aviation Security Identification Card (**ASIC**), to maintain its ASIC register and to maintain security and operations at Brisbane Airport.

BAC is authorised to collect the personal information on this application under Division 9 of Part 4 of the *Aviation Transport Security Act 2004* (Cth), Part 6 of the *Aviation Transport Security Regulations 2005* (Cth), section 13 of the *AusCheck Act 2007* (Cth) and Regulations 6 and 7 of the *AusCheck Regulations 2007* (Cth).

If you do not provide this information, then BAC cannot process your ASIC application and you may not be permitted to access secure zones on Brisbane Airport.

BAC will disclose your personal information to AusCheck to coordinate a background check involving disclosure to, where necessary, Federal and State police, the Australian Security Intelligence Organisation (ASIO) and the Department of Immigration & Border Protection (DIBP). BAC may also disclose personal information (including the log of your movements through access control points) to the Australian Customs Service, the Australian Federal Police, Queensland Police and to your employer.

BAC's privacy policy is accessible on its website at www.bne.com.au/privacy-policy (**Privacy Policy**). The Privacy Policy contains information about how you may access or seek correction of your personal information and BAC's privacy complaint handling process. If you have a privacy query you may contact BAC's Privacy Officer at privacy@bne.com.au or on (07) 3406 3000.

Signature Required

I HAVE READ AND ACCEPT (*Tick box below*)

- Auscheck Privacy Notice
- BAC's Privacy Statement
- Conditions of Issue for all cards

AND

- I am authorised to provide the personal details presented and I consent to my identity being confirmed with the document issuer or official record holder via third party systems.

Signature _____

Date _____

JUNE 2019

The Department of Home Affairs (the Department) includes the Australian Border Force. The *AusCheck Act 2007* (AusCheck Act) authorises and equips the Department to collect certain personal information to administer the AusCheck scheme.

The *Privacy Act 1988* requires the Department to notify an individual of certain matters when it collects personal information about them. This form is your notification of those matters.

This document explains:

- what personal information is collected from you when an application for a background check is made in connection with you being issued or holding an Aviation Security Identification Card (ASIC) or Maritime Security Identification Card (MSIC)
- how your personal information will be used
- where you can find more information.

WHAT IS PERSONAL INFORMATION?

The Privacy Act defines personal information as information or an opinion about an individual who is reasonably identifiable.

Under the Privacy Act personal information may include sensitive information.

Sensitive information is a subset of personal information and includes information or opinion about an individual's racial or ethnic origin, political, religious and philosophical beliefs, trade or professional associations or memberships, union membership, sexual orientation or practices, criminal history, health, genetic and biometric information.

WHY IS MY PERSONAL INFORMATION BEING COLLECTED?

Under the *Aviation Transport Security Regulations 2005* and the *Maritime Transport and Offshore Facilities Security Regulations 2003*, a person must undergo an AusCheck coordinated background check before they can be issued with an ASIC or MSIC. AusCheck requires some of your personal information in order to conduct this background check. Your Issuing Body will apply to AusCheck for a background check on your behalf.

Applicants and cardholders are required to notify their Issuing body of any changes to their name, and in the case of a four-year MSIC, any changes to their address. You are able to update your details with AusCheck at any time by either contacting your Issuing Body or AusCheck.

CONSENT

Under the AusCheck Act, by accepting this Privacy Notice and making an application for an ASIC or MSIC, you are taken to have consented to an AusCheck coordinated background check.

This consent applies to the initial background check required as part of your ASIC or MSIC application, as well as any further background checks required or permitted by the AusCheck Act or other legislation. This includes

- a second background check triggered on the two year anniversary of the completion of the initial check undertaken for a four year MSIC
- a further background check in circumstances where it is reasonably suspected that the information provided for the original background check was incomplete, the application requirements were not met, or the advice given as a result of the check was inaccurate or incomplete, and
- a background check requested by the Secretary of the Department.

In circumstances where you are a holder of an ASIC or MSIC and you are convicted of an aviation or maritime security relevant offence you have a legal obligation to report this conviction. In order to continue holding an ASIC or MSIC an additional AusCheck coordinated background check will need to be undertaken. This will only be undertaken if you provide further consent for this process.

You will be prompted to provide express consent to have your identity documents electronically verified with the document issuer or official record holder through third party systems.

WHAT PERSONAL INFORMATION IS BEING COLLECTED ABOUT ME?

Your issuing body will collect the information that AusCheck requires to conduct a background check and to perform card verification..

The required information includes:

- **details of identification documents:** for example your birth certificate registration number, to enable the electronic verification of these documents. If there are issues verifying these documents, your Issuing body may provide copies of these documents to AusCheck to assist with troubleshooting. These copies will be stored in accordance with Commonwealth government record keeping obligations as set out in the *Archives Act 1983*.
- **identity information:** your full name, all former full names, all other names, titles, pseudonyms and aliases which you are or were known by, use or have used to identify yourself (variants, including variants in spelling are taken to be different name, titles pseudonyms or aliases), date and place of birth, gender, any other names by which you are known or have previously been known, contact details, current residential address, and all other previous residential addresses for the past 10 years
- a **photograph** taken at the same time as, or within 6 months prior to, your application showing your full face, and head and shoulders
- **work and study information:** the name, telephone number and business address of your employer and/or the name and business address of the institution where you are studying.
- **other information:** AusCheck may also need additional information in order to confirm your identity, such as fingerprints or other biometric data.

If an immigration check is requested by your Issuing Body, AusCheck will also need your **immigration information**:

- your passport number, and the number and expiry date of any visa granted to you enabling you to travel to and enter, remain and/or work in Australia.

If your issuing body or employer has asked you for any additional personal information, you should contact them to clarify why that additional information is required.

Biometric data is defined as 'identity verification information' in the AusCheck Act and includes data such as your fingerprints. Identity verification information is given additional protection under the AusCheck Act, and may only be collected, retained, used or disclosed for the purposes of verifying your identity for the purposes of the background check. AusCheck can only conduct a background check if the required information is provided. Failure to provide the required information will delay the commencement of your background check.

AusCheck may direct your issuing body to provide further information if doing so is necessary for the purposes of meeting background check application requirements, ensure all required information is provided or completing a background check. This direction may be given whilst the background check is being undertaken, or while your ASIC or MSIC is valid. AusCheck may charge for the cost of undertaking a new background check in these circumstances

HOW WILL MY PERSONAL INFORMATION BE USED?

AusCheck will only use your personal information for purposes permitted by law, including:

- determining whether a background check is required or permitted
- conducting and advising on the outcome of a background check
- updating information on an individual who has undertaken a background check
- providing updated advice on the outcome of a background check if the initial advice was inaccurate or incomplete (this may involve further background checking)
- verifying the identity of an individual
- providing an online verification service that will verify if an ASIC or a MSIC has been issued and its status
- responding to a national security incident, and
- performing functions relating to law enforcement or national security.

Your personal information will be stored in the AusCheck database for these permitted purposes.

Your personal information will be used and stored securely in accordance with the Australian Privacy Principles. Your personal information may be disclosed to an overseas recipient but only in specific instances where this disclosure is authorised by legislation.

AusCheck will conduct and coordinate a background check using the information you provide to your issuing body. That information may also be used to conduct subsequent background checks (see 'consent' above). The outcome of these background checks affects your eligibility to be issued and to hold an ASIC or MSIC.

When conducting a background check, AusCheck will disclose your personal information to the following Commonwealth Government agencies:

- **The Australian Security Intelligence Organisation (ASIO):** ASIO will assess your background and any past activities to determine whether there could be a threat to national security. ASIO will keep your information and use it as required for national security purposes.
- **The Australian Criminal Intelligence Commission (ACIC):** The ACIC will check your criminal record in the databases of all Australian legal jurisdictions and supply a copy of your criminal record to AusCheck. AusCheck will provide you with an opportunity to review your security relevant offences before finalising the eligibility assessment. If you dispute the details of these offences, you are required to contact AusCheck in the first instance. AusCheck can provide details of your dispute to the ACIC, but you may need to contact the relevant police in the jurisdiction in which the offence occurred to directly query your criminal record. The ACIC may also use your information to perform functions related to law enforcement purposes, including those purposes set out in the *Australian Crime Commission Act 2002*.

AusCheck will only provide your personal information for other purposes where specifically required or permitted by law such as verifying ASIC or MSIC details, responding to a national security incident, and for law enforcement or national security purposes.

AusCheck will disclose your personal information to other parts of the Department to electronically verify your identification, or to check your citizenship status or your legal right to work in Australia. This information may also be used for immigration compliance purposes.

If you are under 18 years of age, AusCheck will only conduct the security assessment component of the background check. AusCheck will only provide your personal information for other purposes where specifically required or permitted by law.

If you are under 14 years of age, your parent or legal guardian will be required to provide written consent to your issuing body for the background check to be undertaken.

WHAT HAPPENS AFTER MY BACKGROUND CHECK IS COMPLETE?

AusCheck will use the results of these checks to advise your Issuing Body or the Aviation Maritime Security Division (AMS) whether you:

- have a 'disqualified' (MSIC only), 'adverse', or 'qualified' (ASIC only) criminal record
- have an 'adverse' or 'qualified' security assessment
- have the right to work (MSIC) or right to be (ASIC) in Australia if requested by your issuing body.

If you have applied for an ASIC and have a qualified criminal history, your issuing body has discretion about whether to issue you an ASIC on the basis of your criminal record. AusCheck will provide your issuing body with the details of your convictions for aviation security relevant offences to assist them when making this decision.

If you have applied for an ASIC and have an adverse criminal history, your issuing body must not issue you an ASIC.

If you have applied for an MSIC and have a disqualified criminal history, your issuing body must not issue you an MSIC

If you have applied for an ASIC or an MSIC and you have an adverse security assessment, your issuing body must not issue you an ASIC or MSIC

If you have applied for an ASIC or MSIC and you have a qualified security assessment, AMS has discretion on whether your issuing body can issue you an ASIC or MSIC. Your security assessment will be provided to AMS to assist them when making this decision.

If you have applied for an ASIC or MSIC and you do not hold a visa entitling you to work (MSIC) or to be (ASIC) in Australia, your issuing body must not issue you an ASIC or MSIC.

AusCheck will keep your personal information on the AusCheck database. Issuing bodies, certain industry participants, as well as Commonwealth, state and territory authorities seeking access for the purposes of performing functions relating to law enforcement or national security can access this information in certain circumstances authorised by law.

FOUR-YEAR MSIC – TWO-YEAR CHECK

If you apply for and are found eligible to be issued with a four year MSIC, AusCheck is required to undertake a second background check, triggered on the two year anniversary of your initial background check. The fee paid for your four year MSIC includes the cost of this second background check. The second background check is similar in nature and process to your initial check. If you apply for and are found eligible to be issued with a four year MSIC, but subsequently decide you do not want to have the second background check, you can withdraw your consent for that second check by contacting your issuing body before the second background check occurs

If you withdraw your consent for the second check:

- your issuing body must immediately cancel your MSIC
- your issuing body will receive a credit for AusCheck's fees associated with the second check.

If you do not want to have a second background check, you have the option of applying for a two year MSIC.

SPENT CONVICTIONS

A spent conviction is a criminal conviction that lapses after a period of time and will not ordinarily be disclosed on a person's criminal record. The Commonwealth spent convictions scheme is contained in Part VIIC of the *Crimes Act 1914* (Cth) and limits the use and disclosure of certain criminal history information. AusCheck will not be provided with, and will not use or disclose, information about a conviction which is 'spent' (unless an exclusion applies – see below). This includes convictions that have been quashed or set aside, or for which a pardon has been granted..

A conviction is a 'spent conviction' under the Commonwealth spent convictions scheme if all of the following applies:

- you were not sentenced to more than 30 months imprisonment in relation to the offence
- the 'waiting period' has ended – 10 years since the date of the conviction (or five years if you were dealt with as a minor), and
- you have not been convicted for an offence during the waiting period.

A conviction is also 'spent' under the Commonwealth scheme if it is considered a 'spent conviction' under a state or territory law. Note that AusCheck is exempt from the application of the South Australian spent convictions scheme.

Some exclusions apply to persons applying for an ASIC or MSIC. This means that the details of convictions for certain aviation and maritime-security-relevant offences will be given to AusCheck and used and disclosed in relation to the background check even if they are 'spent'.

If you believe the 'spent convictions' rules have been breached by AusCheck, you can apply to the Office of the Australian Information Commissioner for an investigation.

WHERE CAN I GET MORE INFORMATION?

The AusCheck section of the Home Affairs website has more information about:

- 'spent convictions'
- how your personal information will be used
- to whom your personal information may be disclosed
- your rights to access and correct your personal information
- your rights to complain about any suspected breach of your privacy
- how your personal information is secured by AusCheck
- the background checking process