



Adult Proof of Age Card Act 2008

Adult Proof of Age Card Regulation 2010

Current as at 1 July 2016



Queensland

Adult Proof of Age Card Regulation 2010

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Adult Proof of Age Card Regulation 2010

1 Short title

This regulation may be cited as the *Adult Proof of Age Card Regulation 2010*.

2 Commencement

This regulation commences on 24 July 2010.

2A Definition

In this regulation—

current postal address, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written or oral notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

3 Fees

The fees payable under the Act are stated in schedule 1.

3A Waiving payment of particular fee for person affected by natural disaster

- (1) This section applies if—
 - (a) a person applies for a replacement adult proof of age card because the card was damaged or lost; and
 - (b) the chief executive is satisfied the card was damaged or lost because of a natural disaster.
- (2) The chief executive may waive the fee payable under section 18(3)(b)(ii) of the Act for the application.

3B Waiving payment of application fee if licence surrendered or cancelled

- (1) This section applies if—
- (a) a person applies for an adult proof of age card under section 8 of the Act; and
 - (b) before applying, the person had a Queensland driver licence that—
 - (i) was surrendered under the driver licensing regulation, section 123; or
 - (ii) was cancelled under the driver licensing regulation, section 125 for a ground mentioned in the regulation, section 124(a); and

Note—

The driver licensing regulation, section 124(a) provides a Queensland driver licence may be cancelled on the ground that the licensee has a mental or physical incapacity that is likely to adversely affect the licensee's ability to drive safely.

- (c) the application is the first application for an adult proof of age card made by the person after the surrender or cancellation of the person's Queensland driver licence.
- (2) The chief executive may waive the fee payable for the application under section 8(2)(b)(ii) of the Act.
- (3) In this section—

driver licensing regulation means the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*.

Queensland driver licence see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

4 Adult proof of age card not received in post

- (1) This section applies if—
- (a) the chief executive issues an adult proof of age card; and

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- (b) the holder has not, within the time stated by the chief executive when the holder's application for the card was made, received the card in the post at—
 - (i) if there is a current postal address for the holder—the postal address; or
 - (ii) otherwise—the address stated in the application.
 - (2) The holder must promptly notify the chief executive that the holder has not received the adult proof of age card.
 - (3) If the chief executive is satisfied that the holder has not received the adult proof of age card because it has been lost or stolen, the chief executive may issue a replacement adult proof of age card to the holder.

Note—

See also section 19 of the Act, which requires a holder to give the chief executive notice if a card has been, or is reasonably suspected of being, lost or stolen.

5 Change of name, address or postal address

- (1) This section applies if the holder of an adult proof of age card—
 - (a) changes—
 - (i) the holder's name or address; or
 - (ii) if there is a current postal address for the holder—the postal address; and
 - (b) gives the chief executive notice of the change.
- (2) If the chief executive is satisfied the information given by the holder is correct, the chief executive must—
 - (a) record the change in the APA register; and
 - (b) for a change of name—give the holder a replacement adult proof of age card that records the change of name.
- (3) No fee is payable for—
 - (a) recording the change in the APA register; or

- (b) a replacement adult proof of age card for a change of name.

6 Notifiable events under other Acts

- (1) This section applies if the holder of an adult proof of age card—
 - (a) has an obligation under the Act to notify the chief executive of a notifiable event; and
 - (b) has an obligation under a prescribed smartcard Act to notify the chief executive, or the general manager under the *Maritime Safety Queensland Act 2002*, of the same notifiable event; and
 - (c) complies with the obligation under the prescribed smartcard Act.
- (2) The obligation under the Act to notify the chief executive of the notifiable event is taken to have been satisfied if any time allowed to make the notification under the Act has not expired.
- (3) In this section—

notifiable event, for the holder of an adult proof of age card, means any of the following—

 - (a) a change of the holder's name;
 - (b) a change of the holder's address;
 - (c) if there is a current postal address for the holder—a change of the postal address.

prescribed smartcard Act means any of the following Acts—

 - (a) the *Tow Truck Act 1973*;
 - (b) the *Transport Operations (Marine Safety) Act 1994*;
 - (c) the *Transport Operations (Passenger Transport) Act 1994*;
 - (d) the *Transport Operations (Road Use Management) Act 1995*.

7 Dealing with superseded adult proof of age card

- (1) This section applies if—
 - (a) a person has in the person's possession a superseded adult proof of age card; and
 - (b) the chief executive gives the person a notice requiring the person to destroy the adult proof of age card in a stated way.
- (2) The person must comply with the notice.
Maximum penalty—20 penalty units.
- (3) However, this section does not apply if the person is required to return the adult proof of age card to the chief executive under the Act.

Schedule 1 Fees

section 3

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1 Application for adult proof of age card (Act, s 8(2)(b)(ii) or 9(2)(c))	64.40
2 Application for replacement adult proof of age card (Act, s 18(3)(b)(ii))	64.40

1 Index to endnotes

- 2 Key
- 3 Table of reprints
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- 5 List of annotations

2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section

Key	Explanation	Key	Explanation
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
		m	
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
0A	none	24 July 2010	
1	2010 SL No. 189	25 July 2010	

Reprint No.	Amendments included	Effective	Notes
1A	2011 SL No. 64	1 July 2011	
1B	2012 SL No. 55	1 July 2012	
Current as at		Amendments included	Notes
1 July 2013		2013 SL No. 75	
1 January 2014		2013 SL No. 281	
1 July 2014		2014 SL No. 61	RA s 44
25 July 2014		2014 SL No. 161	
1 January 2015		2014 SL No. 219	
1 July 2015		2015 SL No. 25	RA s 43
21 August 2015		2015 SL No. 89	
1 January 2016		2015 SL No. 162	
1 July 2016		2016 SL No. 49	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Adult Proof of Age Card Regulation 2010 SL No. 101

made by the Governor in Council on 27 May 2010
 notfd gaz 28 May 2010 pp 290–2
 ss 1–2 commenced on date of notification
 remaining provisions commenced 24 July 2010 (see s 2)
exp 1 September 2020 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.
amending legislation—

Transport Legislation (New Queensland Driver Licensing) and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 189 ss 1, 2(2), pt 2

notfd gaz 23 July 2010 pp 1196–9
ss 1–2 commenced on date of notification
remaining provisions commenced 25 July 2010 (see s 2(2))

Transport Legislation (Fees) Amendment Regulation (No. 1) 2011 SL No. 64 pts 1–2

notfd gaz 20 May 2011 pp 142–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2011 (see s 2)

Transport Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 55 pts 1–2

notfd gaz 18 May 2012 pp 74–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2012 (see s 2)

Transport Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 75 pts 1–2

notfd gaz 31 May 2013 pp 160–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2013 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 3) 2013 SL No. 281 pts 1–2

notfd <www.legislation.qld.gov.au> 13 December 2013
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2014 (see s 2)

Transport Legislation (Fees) Amendment Regulation (No. 1) 2014 SL No. 61 pts 1–2

notfd <www.legislation.qld.gov.au> 16 May 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 2) 2014 SL No. 161 pts 1–2

notfd <www.legislation.qld.gov.au> 25 July 2014
commenced on date of notification

Transport Legislation and Another Regulation Amendment Regulation (No. 2) 2014 SL No. 219 ss 1, 2(2)(a), pt 2

notfd <www.legislation.qld.gov.au> 26 September 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2015 (see s 2(2)(a))

Transport Legislation (Fees) Amendment Regulation (No. 1) 2015 SL No. 25 pts 1–2

notfd <www.legislation.qld.gov.au> 15 May 2015
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2015 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 2015 SL No. 89 s 1, pt 2

notfd <www.legislation.qld.gov.au> 21 August 2015
commenced on date of notification

Transport Legislation Amendment Regulation (No. 2) 2015 SL No. 162 pts 1–2

notfd <www.legislation.qld.gov.au> 27 November 2015
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2016 (see s 2)

Transport (Fees) Amendment Regulation (No. 1) 2016 SL No. 49 pts 1–2

notfd <www.legislation.qld.gov.au> 20 May 2016
ss 1–2 commenced on date of notification
ss 3–4 commenced 1 July 2016 (see s 2)

5 List of annotations

Definition

s 2A ins 2014 SL No. 219 s 4

Fees

s 3 amd 2014 SL No. 61 s 4

Waiving payment of particular fee for person affected by natural disaster

s 3A ins 2013 SL No. 281 s 4

Waiving payment of application fee if licence surrendered or cancelled

s 3B ins 2015 SL No. 89 s 4

Adult proof of age card not received in post

s 4 ins 2010 No. 189 s 4
amd 2014 SL No. 161 s 3; 2014 SL No. 219 s 5

Change of name, address or postal address

s 5 ins 2010 No. 189 s 4
amd 2014 SL No. 219 s 6

Notifiable events under other Acts

s 6 ins 2010 No. 189 s 4
amd 2014 SL No. 219 s 7; 2015 SL No. 162 s 4

Dealing with superseded adult proof of age card

s 7 ins 2010 No. 189 s 4

SCHEDULE 1—FEES

(prev sch) sub 2011 SL No. 64 s 4; 2012 SL No. 55 s 4; 2013 SL No. 75 s 4
num 2014 SL No. 61 s 5(1)
sub 2014 SL No. 61 s 5(2); 2015 SL No. 25 s 4; 2016 SL No. 49 s 4

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