



*Photo Identification Card Act 2008*

# **Photo Identification Card Regulation 2019**

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Queensland

# Photo Identification Card Regulation 2019

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# Photo Identification Card Regulation 2019

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Photo Identification Card Regulation 2019*.

### 2 Commencement

- (1) This regulation, other than section 18, commences immediately after the commencement of the *Transport and Other Legislation Amendment Act 2017*, part 14, division 1.
- (2) Section 18 commences on 1 April 2019.

### 3 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 the postal address was given for the purpose of this regulation; and
- (b) for which no written or oral notice from the person, asking the department to discontinue use of the postal address, has been received by the department.

## Part 2 Photo identification cards

### 4 Photo identification cards not received in post

- (1) This section applies if—
  - (a) the chief executive issues a photo identification card; and

[s 5]

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- (b) the holder has not, within the time stated by the chief executive when the holder applied for the card, 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 photo identification card.
- (3) If the chief executive is satisfied the holder has not received the photo identification card because it has been lost or stolen, the chief executive may issue a new photo identification 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 Changes of name, address or postal address**

- (1) This section applies if the holder of a photo identification 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 photo identification register; and
  - (b) for a change of name—give the holder a replacement photo identification card that records the change of name.
- (3) No fee is payable for—

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- (a) recording the change in the photo identification register;  
or
  - (b) a replacement photo identification card for a change of name.

## 6 Notifiable events under other Acts

- (1) This section applies if the holder of a photo identification 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 a photo identification 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*.

## Part 3 Fees

### 7 Fees

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

#### 7A Rounding of amounts expressed as numbers of fee units

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purposes of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded to the nearest multiple of 5 cents (rounding one-half upwards).

*Example—*

If a fee were 35 fee units and the value of a fee unit were \$1.015, the number of dollars obtained by multiplying 35 by \$1.015 would be \$35.525. Because \$35.525 is halfway between \$35.50 and \$35.55, it is rounded upwards, so the amount of the fee would be \$35.55.

### 8 Waiver of particular fees for persons affected by natural disasters

- (1) This section applies if—
  - (a) a person applies for a replacement photo identification 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) of the Act for the application.



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## 9 Waiver of application fees if licence surrendered or cancelled

- (1) This section applies if—
  - (a) a person applies for a photo identification 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 375; or
    - (ii) was cancelled under the driver licensing regulation, section 356 for a ground mentioned in section 352(1)(a) of the regulation; and
  - (c) the application is the first application for a photo identification 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) of the Act.
- (3) In this section—

*driver licensing regulation* means the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2021*.

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

## Part 4 Repeal

### 10 Repeal

The Photo Identification Card Regulation 2010, SL No. 101 is repealed.

## **Schedule 1      Fees**

section 7

	<b>Fee units</b>
1    Application for photo identification card (Act, s 8(2)(b))	73.00
2    Application for replacement photo identification card (Act, s 18(3)(b))	33.01