



New South Wales

# Road Transport (Driver Licensing) Amendment (Release of Photographs to Identity Security Strike Team) Regulation 2011

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

DUNCAN GAY, MLC  
Minister for Roads and Ports

## Explanatory note

The object of this Regulation is to provide that the Roads and Traffic Authority may release certain photographs or photographic images that it stores to the Identity Security Strike Team (Sydney) (an inter-agency team charged with investigating serious identity-related crime and currently made up of members of the NSW Police Force, the New South Wales Crime Commission, the Australian Crime Commission, the Australian Federal Police and the Commonwealth Department of Immigration and Citizenship). The relevant photographs relate to driver licences, “proof of age” cards and licences and permits under the *Firearms Act 1996*, the *Security Industry Act 1997*, the *Weapons Prohibition Act 1998* and (from 7 January 2011) the *Commercial Agents and Private Inquiry Agents Act 2004*.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including section 19 (the general regulation-making power) and section 41 (1) (g) (which permits the release of photographs and photographic images in accordance with the regulations).

**2011 No 324**

Clause 1 Road Transport (Driver Licensing) Amendment (Release of Photographs to Identity Security Strike Team) Regulation 2011

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Road Transport (Driver Licensing) Act 1998

**1 Name of Regulation**

This Regulation is the *Road Transport (Driver Licensing) Amendment (Release of Photographs to Identity Security Strike Team) Regulation 2011*.

**2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

**3 Amendment of Road Transport (Driver Licensing) Regulation 2008**

**(1) Clause 107 Release of certain photographs**

Insert before clause 107 (1):

- (1A) A photograph to which Part 5 of the Act applies, or any photographic image or other matter contained in any database of such photographs, may be released by the Authority to the inter-agency team known as the Identity Security Strike Team (Sydney), being a team hosted by the Australian Federal Police and charged with investigating serious identity-related crime.

**(2) Clause 107 (2)**

Omit “subclause (1)”. Insert instead “subclause (1A) or (1)”.

**(3) Clause 107, note**

Insert after clause 107 (3):

**Note.** Section 80I (1) (f) of the *Licensing and Registration (Uniform Procedures) Act 2002* provides that a photograph taken for the purposes of that Act may be released for any purpose for which a photograph to which Part 5 of the *Road Transport (Driver Licensing) Act 1998* applies may be released by the RTA. Section 19 (1) (g) of the *Photo Card Act 2005* makes similar provision for photographs taken under that Act.

As a result, photographs to which those Acts apply may be released for the purposes prescribed by subclause (1A) of this clause.