



Inspector of Transport Security Regulations 2007¹

Select Legislative Instrument 2007 No. 117

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Inspector of Transport Security Act 2006*.

Dated 10 May 2007

P. M. JEFFERY
Governor-General

By His Excellency's Command

MARK VAILE
Minister for Transport and Regional Services

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1 Name of Regulations

These Regulations are the *Inspector of Transport Security Regulations 2007*.

2 Commencement

These Regulations commence on the commencement of section 25 of the *Inspector of Transport Security Act 2006*.

3 Definition

In these Regulations:

Act means the *Inspector of Transport Security Act 2006*.

4 Identity card

For subsection 40 (2) of the Act, an identity card must be in a form that includes, legibly, the following information:

- (a) the identifying number of the card;
- (b) the date of issue, and the date of expiry, of the card;
- (c) the name of the person whose identity the card affirms;
- (d) an example of the signature of that person;
- (e) identification of the powers under Division 2 of Part 5 of the Act that the person is empowered to exercise.

5 Delegate eligibility criteria

For paragraph 82 (1) (c) of the Act, the criterion to be satisfied by a delegate of the Inspector is any of the following:

- (a) having experience or other expertise relevant to the mode of transport concerned in relation to the delegate's inquiry functions;
- (b) having suitable experience in security investigations, or training qualifications relevant to such investigations;
- (c) being a person whose present occupation is in a transport industry relevant to the delegate's inquiry functions;
- (d) having experience or other technical expertise relevant to the principal matter in respect of which the delegate has inquiry functions.

6 Observance of Australia's international obligations

For section 81 of the Act, the obligations under international agreements with which the Inspector's actions must be consistent are:

- (a) paragraph 5.12 of Annex 13 of the Convention on International Civil Aviation of 7 December 1944 (the *Chicago Convention*); and
- (b) paragraph 6.2 of Annex 13 of the Chicago Convention.

7 Fee for attendance at coronial inquiry

- (1) For subsection 88 (2) of the Act, the amount of the fee payable to the Commonwealth is an amount equal to the sum of:
 - (a) subject to subregulation (2), the person's salary for the duration of his or her:
 - (i) attendance at the inquiry; and
 - (ii) necessary travel to, and from, the inquiry; and
 - (b) reasonable costs incurred by the person, and payable by the Commonwealth, for transport between the person's usual place of residence and the place where he or she attends the inquiry; and

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- (c) if attendance necessitates that the person be absent overnight from his or her usual place of residence — reasonable costs incurred by the person, and payable by the Commonwealth, for consequent meals and accommodation; and
 - (d) if:
 - (i) the Commonwealth incurs legal expenses in relation to the attendance (for example, the provision of legal representation at the inquiry); and
 - (ii) the Inspector is satisfied that it is appropriate to seek reimbursement for those expenses from the State or Territory concerned;the amount of those expenses.
- (2) The maximum fee payable to the Commonwealth under paragraph (1) (a) is:
- (a) for a full day of attendance (including travel) — \$1 000; and
 - (b) for each hour, or part of an hour, of attendance (including travel) on a day on which attendance is not for the full day — \$133.33, up to a maximum of \$1 000.
- (3) The fee must be paid within 30 days after the last day of the inquiry.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.