



## Appendix E — Proposed Commonwealth Identity Fraud Offences

The following proposed offences will be inserted into Commonwealth Criminal Code.<sup>1</sup>

### **Dealing with identification information - Proposed new subsection 372.1**

It is an offence to deal (make, supply or use) identification information with the intention that any person will use that information to pretend to be, or to pass the user off as, another person (whether living, dead, real or fictitious) for the purpose of committing or facilitating the commission of an indictable offence.

Penalty: maximum five years imprisonment.

### **Possession of identification information - Proposed new subsection 372.2**

It is an offence to possess identification information with the intention that any person will deal (make, supply or use) in the information to commit an indictable offence.

Penalty: maximum 3 years imprisonment.

### **Possession of equipment used to make identification documentation - Proposed new subsection 372.3**

It is an offence to possess equipment with the intention that any person will use the equipment to make identification documentation to engage in conduct prohibited by subsection 372.1.

Penalty: maximum 3 years imprisonment.

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<sup>1</sup> AGD, *Supplementary Submission 44.1*, p.3.

