

On 21 February, the Department received on notice 91 questions from Senators Lundy and Nettle. A further 19 questions were received from Senator Stott-Despoja on 27 February. Many of these questions contained sub-parts, making the total number of questions received approximately 146.

In the Additional Budget Estimates Hearings on 16 February, Senator Nettle requested that the Department seek to provide as many answers as possible to questions on notice before the Senate Inquiry into the access card Bill commenced on 2 March. In reviewing these questions, the Department notes that a number of these matters have already been addressed, and answers provided, during the actual Hearings. The Department has therefore identified those questions where answers have not yet been provided, and where the question relates directly to the Bill, in order to prioritise answering these questions.

Where questions relate to the registration process, which is subject to further work by the Department and is not the focus of this Bill, answers have been deferred and will be answered through normal processes.

The Department also draws the Committee's attention to the very extensive submission it has provided to the Committee on the Card.

Additional Questions on Notice regarding the Access Card

Senator Nettle

1. How will centralising all our personal information in the one place make it more secure from hackers, organised criminals or corrupt or lazy staff?

There will be no single database holding all health and social service details. Agency specific information will stay where it currently is – with that agency.

Agency specific information, such as Centrelink, Department of Veterans' Affairs and Medicare will remain with the agency and will not be moved anywhere else.

Personal information will be protected by legislation. There will be strict controls over what information agency staff can view. All access will be logged and audited.

Unlike the driver's licence, which has most of the personal details clearly visible, the smart card will securely store most of the information on the chip.

2. What evidence is there that Australians currently lack any 'access' to health benefits or social services because of the absence of a smartcard?

The access card is about improving customer convenience and ensuring benefits go to the right person. Refer to Supplementary Budget Estimates HS36 Question on Notice, 31/10/06.

3. If this project is about improving "access to - and delivery of - health and social services benefits", why didn't the Government first ask recipients of those benefits how their customer experience might best be improved?

All six Human Services agencies have undertaken surveys over a number of years to measure customer satisfaction with their services, with the results being used

extensively in business monitoring and service delivery improvement. Work on improving customer convenience is at the heart of the access card initiative.

4. How can the Government say that delivery of services will be 'improved' if no services will be delivered to people without a so-called access card from 2010?

No services will be refused from 2010. This is about greater customer convenience. For example, you will only need to update information such as a change of address once rather than at each agency. Given Centrelink processes 60 000 changes of address a week and these people also hold Medicare cards, the convenience to customers is clear.

5. What is the estimated risk of increasing identity theft if this proposal for increasing 'customer convenience' by pre-populating forms is introduced?

There is less risk of identity theft with an access card. The use of a biometric photograph in the registration process will filter out people attempting to register twice, or attempting to register in someone else's name.

6. How might the access card impact on the wider problem of identity fraud and identity theft in Australia?

The Australian Federal Police has indicated that the Medicare Card is involved in up to 50% of all identity fraud cases. The use of a photo and sophisticated security and anti-tampering features will mean that identity fraud and theft involving Medicare Cards will be reduced.

7. What is the estimated dollar value of the new identity fraud and identity theft likely to be generated by this project?

Identity fraud will be reduced not increased as a result of the access card.

8. Given these many existing and new projects to tackle welfare fraud, why is the so-called access card needed at all?

The access card project is the central element in a range of other complementary initiatives designed to address the growing problem of welfare fraud. The access card is built on advanced technology that will replace the outdated technology currently used. KPMG estimates that up to \$3 billion will be saved in fraud and concession leakage.

Some 25 percent of all Health Care Cards are cancelled by Centrelink before they expire. A large proportion of these cancellations occur because a person ceases to be eligible for the primary Centrelink benefit that provided their entitlement to an automatically issued Health Care Card.

The access card will allow the regular updating of concession status.

9. Why shouldn't these other, more targeted initiatives be implemented and evaluated prior to introducing a far more intrusive and expensive project with the same objectives?

Answer to follow.

10. In its examination of the business case for the so-called access card, did KPMG consider the likely impact of these other initiatives?

Yes.

11. What risk has been identified that the so-called access card might not achieve the claimed \$3 billion in financial savings because they will have already been achieved by these other initiatives?

KPMG in its business case for the card conservatively estimated it would save \$3 billion over 10 years.

The potential is that the access card will achieve far greater than \$3 billion in savings over 10 years. \$3 billion represents only 0.3 per cent of the total \$1 trillion in outlays by Human Services Agencies and the Department of Veterans' Affairs over 10 years.

12. What % of the estimated up to \$3 billion in financial savings for the Government relates to "improved efficiencies" in relation to data-linking programs?

The \$3 billion is in fraud and concession leakage savings.

13. Whose readers will be capable of connecting to the SCRS to check the currency of concession status information on the chip, and change that information by way of 'upload' where necessary?

Refer to Additional Budget Estimates Hansard 16/02/07 p 21, 24 – 25.

14. Will third party government agencies and businesses have to also check the backend database (SCRS) in order to be able to determine the current validity of a customer's concession status?

No

15. In what circumstances will the Government confiscate people's access cards?

Cards will only be required to be surrendered in cases of fraud. (Refer to clause 54 of the Bill).

16. Can you give an update of how much of the budget will be spent on 'communications strategy'?

\$47.3 million over four years has been allocated for communication activities associated with the access card.

17. Given registration will not commence until at least 2008, why is so much is needed in 2006-07, and in 2007-08?

Registration commences in April 2008. Communication funds allocated to financial years 2006-07 and 2007-08 relate to market research, issues management and advertising production.

18. What will the content of the advertising be?

The content of advertisements has not yet been finalised.

19. What will the timing of the advertising be, in relation to the next federal election?

The advertising will commence just prior to registration in 2008.

20. What additional features have been proposed for the cards that are not currently included in the plan? For example the KPMG report discusses the concept of an electronic wallet.

No additional features are planned. Emergency payments are a feature of the system.

21. What is the definition of an 'adult'?

A person who is 18 years of age and over.

22. In discussions the Department has said 18, but the KPMG Report suggests it examined the proposal based on calculations for those "over the age of 15" (KPMG Report, p.11).

Refer to the policy regarding people under 18 released on 27 February.

23. What is the estimated rate or risk of entrenching current false identities through the registration process?

The combination of the strong POI requirement interview, digital photo and facial biometric matching provide a very strong protection against identity crime.

24. What is the estimated dollar value of identity fraud and identity theft likely to be generated by this project, as a result of entrenching current false identities?

Identity fraud will be reduced as a result of the access card.

25. What measures will be put in place to deal with the problem of "identity theft", arising when a legitimate person arrives to register for their so-called access card, only to find that there has already been a fraudulent registration by a different person using their name and/or documentation?

The registration process will require a person to present at least three documents to prove their identity, one of these documents will be a key POI document proving Commencement of Identity (birth certificate, passport, citizenship, visa). Key identity documents will be verified with the issuer to ensure that they are a valid document. A photo will also be taken at interview and a biometric measure taken from the image.

The registration process will make it difficult for false or fictitious documents to be presented at registration due to the verification that will be undertaken. The checking of the photo in the register and against the photo provided at application will ensure that only one person with these biometric features can be registered.

Given the above measures the success of an identity takeover will require access to a wide range of personal documents and information about a person. The Office of Access Card is aware of the possibility of identity takeover attack and its security advisors including the Australian Federal Police will ensure that strict procedures are in place to address identity attack. Any instances of attempts for identity takeover will be reported for investigation to the Police.

If a fraudulent registration has occurred the card would be immediately deactivated.

26. On what basis can a card be cancelled or withdrawn against the card-holder's will?

See Q15.

27. What is the average time that has been estimated for registration?

Twelve minutes. Refer to Additional Budget Estimates Hansard 16/02/07 p7.

28. What is the estimated number of additional staff that will be required to register cardholders?

This has been factored into the \$1.1 billion budget. Refer to Additional Budget Estimates Hansard 16/02/07, p9 and 11.

29. If it is not yet known or determined what documentation will be required for registration, how can time (and therefore cost) estimates have been conducted on how long registration will take?

Documents required are an Australian birth certificate (extracts or full), an Australian passport and evidence of Australian citizenship or passport from a person's previous country (used to enter Australia) with their visa. Two other documents from a range of documents are also required such as a bank account statement and driver's licence.

30. Will copies of registration documents be kept by the Department?

We are working with National Archives to determine what copying and storage of registration documents is required. As has been previously announced, the Government's intent is to keep as few documents as possible.

31. Is it correct that they will be scanned and stored with an individuals file on the national database (SCRS)?

See above.

32. What is the estimated error rate (both false positives/matches and false negatives/rejects) from the automatic facial recognition technology to be adopted in DHS / DVA offices?

Booz Allen Hamilton advises that on present technology in use error rates are less than 5%. As with the Australian passport a manual checking will also occur for seemingly similar identities. This and future technology improvement is likely to bring the error rate down to a very low number.

33. If there is going to be a photograph on the chip why is it necessary to have the photo displaying on the card too?

The inclusion of the photograph on the face of the card will maximise the integrity of the system. It provides a quick and simple way of verifying who a person is when accessing Australian Government Health benefits, veterans' and social services.

It should be noted that the Consumer and Privacy Taskforce supported the mandatory photograph on the surface of the card to ensure the success of the system.

34. Who will be able to access the 'emergency' information, and in what circumstances?

The Consumer and Privacy Taskforce has issued a discussion paper on Voluntary and Medical Emergency Information on the access card. Submissions on the discussion paper close 16 March 2007.

Details will be worked out following consultation with relevant groups and the Consumer and Privacy Taskforce.

35. What size chip will be used?

This will be determined in the tendering process.

36. What information will my health service provider be able to 'read' from the chip in my card?

Answer to follow.

37. Will health service providers need me to enter my PIN before they can read any information from the card?

Answer to follow.

38. Will health service providers be able to read only my emergency contacts and emergency health information, or some or all of the other information stored on the chip (such as home address, details of dependents, and whether or not I am a customer of Centrelink or the CSA)?

Answer to follow.

39. How many different organisations across Australia, whether government or business, have been identified as currently offering discounts or rebates to federal concession-card holders?

All State, Territory and Local Governments including local councils provide some level or type of discount, rebate or concession.

In relation to business, there is no single consolidated source of private sector information to identify which private sector businesses provide rebates or discounts for federal concession card holders.

40. Is it intended that these third party government agencies and businesses will use the access card to verify the validity of a person's concession status?

Yes, if the person chooses to show their card to access a relevant concession. Refer to Additional Budget Estimates Hansard 16/02/07 Hansard p21, 24-25.

41. If not, how is it intended that people will demonstrate their concession status, once their cards are taken away in 2010

Not applicable – see answer to Q 40.

42. Will the access card be accepted and/or required as one of the common proof of identity documents needed to access services from any Australian government department?

It is only required at participating agencies as set out in the Bill.

43. Will the access card be accepted and/or required as evidence of identity for electoral enrolment, and/or for voting, under the new voting requirements being introduced?

It can't be required but cardholders can choose to present it.

44. Will the access card be accepted and/or required in order to obtain a driver's licence and/or buy a vehicle?

It can't be required but cardholders can choose to present it.

45. Will the access card be used as the key to parents' daily access to child-care centres?

No.

46. What has AUSTRAC advised about how many “points of ID” will be attributed to the access card, given the Government is describing it as a “high quality proof of identity document”?

The Anti-Money Laundering and Counter Terrorism Financing Act 2006 (AML/CTF Act) provisions relating to customer identification take effect from 12 December 2007. The 100 point test under the Financial Transaction Reports Act 1988 will, from that date, only apply to a very limited class of "cash dealers" who are not covered under the *AML/CTF Act*. It will be up to businesses to determine the extent of customer identification to be conducted under the *AML/CTF Act* on the basis of their assessment of the risk that the service they are providing to the customer might facilitate money laundering or terrorism financing. Businesses will be required to have in place customer identification programs setting out applicable customer identification procedures. Neither the *AML/CTF Act* nor the *AML/CTF Rules* refer to the access card.

47. Will the “low POI confidence flag” be visible on the face of a person’s card or only found on the chip?

It will not be visible on the surface of the card. The status will be placed on the chip and on the register only.

48. How does the plan for a “low POI confidence flag” undermine other privacy promises?

‘Interim’ status will be recorded on the Register and chip unless and until a person’s identity is fully verified, at which time ‘full’ status is achieved and recorded on the Register. This status will not affect eligibility for Commonwealth benefits. It does not undermine other privacy protection.

49. What does the Privacy Impact Assessment indicate are the privacy implications of creating a single universal and unique identifier for effectively all adult Australians?

The access card does not create a single, universal and unique identifier. The Medicare, Centrelink and DVA file numbers will continue to be used, and the access card number displayed on the card and stored on the chip and Register will change upon every re-issue of the card.

50. Has the Privacy Impact Assessment specifically examined the likely increased incidence of data-matching and data-mining on customers, across the public and private sectors, that will arise from placing a unique and universal ID number on the face (or back) of the card, given the need for card-holders to routinely present their card (and thus ID number) in order to identify themselves, or claim any concession-based discounts or rebates, to a vast range of government agencies and private businesses?

The access card does not create a single, universal and unique identifier. The Medicare and DVA file numbers will continue to be used, and the access card number displayed on the card and stored on the chip and Register will change upon every re-issue of the card.

The legislation prevents the recording of the access card number except by participating agencies, and authorised service providers such as health services.

The access card will conform with existing privacy legislation in relation to data matching and data mining.

51. What will prevent the use of the DHS ID number being used to link together the records generated from multiple requests for proof of ID?

The access card does not create a single, universal and unique identifier. The Medicare and DVA file numbers will continue to be used, and the access card number displayed on the card and stored on the chip and Register will change upon every re-issue of the card.

The Bill proposes that it will be an offence for persons (including businesses) to copy or record the access card number unless authorised to do so or the card owner has provided written consent. This would make it a criminal offence for the access card number to be linked to other customer records.

The Explanatory Memorandum to the Bill notes that further information protection will be considered and debated for the next part of the legislative package. The Consumer and Privacy Taskforce is considering the overall issue of privacy protections and is undertaking a Privacy Impact Assessment. The work of the Taskforce will be taken into account in the development of matters to be included in the next part of the legislative package.

52. Has the Privacy Impact Assessment identified the following scenario: that the DHS ID number is used to track and link together records generated from a demand for photo ID each time a person boards a plane, mails a parcel overseas, visits a doctor, writes a cheque, fills a prescription, applies for social security benefits, rents a car, rents a house, buys some jewellery, seeks financial advice, seeks legal advice, or opens a bank account?

The access card does not create a single, universal and unique identifier. The Medicare and DVA file numbers will continue to be used, and the access card number displayed on the card and stored on the chip and Register will change upon every re-issue of the card.

53. Will any prohibition be placed on linking a person's DHS ID number to a business's customer records?

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The Bill proposes that it will be an offence for persons (including businesses) to copy or record the access card number unless authorised to do so or the card owner has consented. This would make it a criminal offence for the access card number to be linked to existing customer records.

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54. Will any prohibition be placed on linking a person's DHS ID number to other government records?

There is no DHS ID number. However, the Bill provides that there will be an access card number. That number will be the number appearing on a person's access card.

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55. Has the Privacy Impact Assessment examined the likely link between the so-called access card and public transport ticketing programs?

Answer to follow.

56. Will people be able to supply a post office box instead of their home address?

People will need to supply a residential and postal address as part of the access card registration process. The circumstances of homeless people will be taken into account.

57. What information will be stored on the card's chip for each of a person's children or listed dependents?

Refer to Additional Budget Estimates Hansard 16/02/07 p22-23.

58. Will it include their card number (whether for issued or un-issued cards), SCRS

Refer to Additional Budget Estimates Hansard 16/02/07 p22-23.

59. ID number, name/s, date of birth, gender, birth parents, relationship to the person, whether a Current/active relationship, and relationship start/expiry dates?

Refer to Additional Budget Estimates Hansard 16/02/07 p22-23.

60. Who exactly will be able to 'read' the contents of the chip?

Authorised agency personnel and concession providers will be able to read certain information on the chip that is relevant to their interaction with card owner at the time.

Refer to Additional Budget Estimates Hansard 16/02/07 p 21, 24 – 25.

