

**From:** Allan Fels  
**Sent:** Monday, 12 March 2007 4:26 PM  
**To:** Babyack, Sharon (SEN)  
**Cc:** Sands, Alistair (SEN)  
**Subject:** RE: Senate Committee Access Card inquiry - QON

Dear Sharon

Item 1

The Task Force will be happy to consider the Senator's suggestion as it develops its forthcoming paper on appeals processes. However any access not specifically authorised by the Act would, by definition, constitute prohibited access and would attract appropriate penalties. The system to log and record all instances of access to the Register will be a feature of the privacy protection regime developed for the Access Card.

Item 2

The specific question of what health and/or medical data is recorded in the customer controlled proportion of the card is the subject of the Task Force Discussion Paper which was issued on 21 February 2007 (Discussion Paper Number 2: Voluntary Medical and Emergency Information). The Task Force is currently considering submissions on this Paper and will report to the Minister in April. The data showing an individual's health issues and status would be in the customer controlled section of the chip and could, at the discretion of the cardholder, be PIN protected. Data about concession status and eligibility would be in the Commonwealth controlled section of the chip and would be accessed separately.

Item 3

The advice provided to the Task Force in meeting with AUSTRAC was to the effect that compliance with the AMLCTF Act did not require the recording of data in the way suggested by the ABA in their evidence . However the Task Force believes that this matter should be clarified by direct reference to AUSTRAC.

With kind regards

Professor Allan Fels  
Chairman Access Card Consumer and Privacy Taskforce