

Use of Personal Information under The Privacy Act 1998

Background

Under the **Privacy and Personal Information Protection Act, 1998** (the Privacy Act), privacy standards for NSW public sector agencies were introduced to regulate the way such agencies deal with personal information relating to individuals. In line with the Privacy Act, NSW Maritime has prepared a Privacy Management Plan and it is available on the Internet at www.maritime.nsw.gov.au

What information must you provide?

Pursuant to the NSW Marine Legislation you must provide the information sought in any application for, amongst other things, boat licences, marine certificates of competency, vessel registration, vessel survey, aquatic licences and mooring licences.

The information provided by you in respect of any such application must be complete, true and correct in every detail. Failure to supply the required information will result in your application not being processed.

What are your rights?

You have a right to access information provided by you in respect to an application and to correct and update any details in the application as required. You will need to supply proof of identity documentation to do this.

Who might NSW Maritime disclose your information to?

NSW Maritime might disclose information provided by you in your application to the following agencies/ organisations:

- Law enforcement, registration and licensing agencies in NSW and other Australian States and Territories
- Other government agencies that have a statutory right to require the disclosure of the information

- Solicitors and accountants acting in respect of bankrupt estates, deceased estates, companies in liquidation and family law matters
- Solicitors, insurance companies and marine investigators acting in respect of vessel incidents and accidents and
- Volunteer organisations that have assisted with the recovery of vessels and/or persons.

What are NSW Maritime's obligations under the Privacy Act?

Under the Privacy Act, NSW Maritime and other public sector agencies are required to ensure the following:

- That personal information is only collected for a lawful purpose that is directly related to the function or activity of the agency
- That the personal information is securely stored
- That the individual concerned has access to their personal information and
- That the personal information is only disclosed to agencies or persons that you are aware may receive the information.



For more information please contact the NSW Maritime.

Info Line

13 12 56

For all other areas please call 02 9563 8557

(Open 7 days a week 8.30am to 4.30pm)

www.maritime.nsw.gov.au

NSW MARITIME

Proof of Identity

and the Use of Personal Information under The Privacy Act 1998

WWSBR0015 (04/10)

NSW MARITIME



What is Proof of Identity (POI)?

POI is the first requirement that a customer must meet to obtain the products offered by NSW Maritime.

A person must show POI to verify his/her name and signature. Except for PWC licences, applicants do not require POI for renewal of products.

What are the requirements for establishing POI?

To establish POI, individuals must satisfy the POI requirements listed in acceptable POI documents.

Documents presented as POI must show the applicant's signature and current residential address.

Young adults and companies/organisations have special POI requirements (see overleaf).

What are the categories of POI?

There are three types of POI documents: Full, Primary and Secondary. The applicant must provide either:

- one full POI document or
- at least one primary and one secondary POI document.

Identification documents must be original documents or certified copies.

What are acceptable full proof POI documents (no other document required)?

- An RTA issued NSW Photo Driver's Licence that is current or not expired more than two (2) years
- An RTA issued Photo Card that is current or not expired more than two (2) years
- A NSW Maritime issued PWC Photo Card Licence that is current or not expired more than two (2) years or
- A NSW Maritime issued Certificate of Competency containing a photo of the holder that is current or not expired more than two (2) years.

What are acceptable primary proof POI documents?

- An Australian passport that is current or not expired more than two (2) years
- An RTA issued NSW Photo Driver's Licence or NSW Photo card that has expired more than two (2) years

- A NSW Maritime issued PWC Photo Card Licence that has expired more than two (2) years
- A NSW Maritime issued Certificate of Competency containing a photo of the holder that has expired more than two (2) years
- A current Document of Identity issued by the Australian Passport Office
- A current overseas passport
- An RTA issued NSW Photo Firearm, Security Industry or Commercial Agents and Private Agents Operator Licence that is current or not expired more than two (2) years
- A current NSW Police Force or Australian Defence Force Photo Identity Card
- A photo drivers licence issued by another Australian State or Territory that is current or not expired more than two (2) years
- An Australian Full Birth Certificate showing parental details or a current Photo Birth Card issued by the NSW Registry of Births, Deaths and Marriages (Commemorative Certificates are not acceptable except for 1987 and 1988 NSW Historic Birth Certificates)
- A current consular photo identity card issued by the Department of Foreign Affairs and Trade
- An Australian naturalisation or citizenship document or immigration papers issued by the Commonwealth Department of Immigration and Citizenship
- An overseas birth certificate showing parental details provided a passport or an official Australian travel document is also shown
- Certificate of Aboriginality issued by an organisation (eg: Land Council) recognised by the Aboriginal and Torres Strait Islander Council
- A current Certificate of Competency issued by another Australian State or Territory that contains a photo of the holder or
- A current boat licence issued by another Australian State or Territory that contains a photo of the holder.

What are acceptable secondary proof POI documents?

- A NSW Maritime issued General or Young Adult Boat Licence that is current or not expired more than two (2) years
- A current Medicare card, Pensioner Concession card, Department of Veteran's Affairs Entitlement card, or any other current entitlement card issued by the Commonwealth Government
- A current credit card that shows your name and signature or account card from a bank, building society or credit union, or

a passbook or account statement that is current or not expired more than one (1) year

- A telephone, gas or electricity bill not more than one (1) year old
- A water rates, council rates or land valuation notice not more than two (2) years old
- An electoral enrolment card or other evidence of enrolment not more than two (2) years old
- An armed services discharge document not more than two (2) years old
- A current student identity card or a certificate or statement of enrolment not more than two (2) years old from an educational institution or
- A current Mobility Parking Scheme (MPS) card with or without a photo.

What are acceptable young adult POI documents?

Young adult licence applicants (persons between 12 years and under 16 years of age) can meet POI requirements by providing original documents or certified copies of:

- At least one (1) primary proof and one (1) secondary proof document as listed above; or
- An Australian Full Birth Certificate showing parental details or a current Photo Birth Card issued by the NSW Registry of Births, Deaths and Marriages.

Young adult licence applicants must obtain written consent from a parent or legal guardian to obtain a boat licence and acceptable POI documents for the parent or legal guardian must also be provided.

What is the policy regarding company POI?

A company/organisation shows POI by proving its legal status. To prove its legal status it must provide the original or a certified copy of one of the following documents:

- Associated incorporations – a current Certificate of Incorporation issued by the NSW Office of Fair Trading or its interstate equivalent or ASIC extract;
- Companies – a current Certificate of Company Registration or other evidence (e.g. ASIC extract) and an ACN (Australian Company Number)

Sole traders, trusts and partnerships with a registered business name must supply a copy of the Certificate of Registration of Business Name issued by the NSW Office of Fair Trading or its interstate equivalent or ASIC extract. Note; they are not legal entities and as such POI for the associated Individual must also be supplied.

A foreign company must provide a Certificate of Registration of a Foreign Company with an Australian Registered Body Number (ARBN).

Which companies/organisations are not required to provide POI?

The following companies/organisations do not need to provide POI:

- Government agencies or departments
- Utility providers
- Credit unions, banks, building societies
- Public hospitals
- Educational institutions
- Park and cemetery trusts
- County, city, municipal and shire councils
- Volunteer rescue organisations
- Finance or insurance organisations with the word "mutual" or any organisation with the word "corporation" in their name.

Instead of providing POI, these companies/organisations must provide a letter written on the company's/organisation's letterhead the name of the Act under which they are incorporated, or evidence of the company's/organisation's legal status. For officers acting for government agencies or educational institutions, a document evidencing delegation or authority may also be required.

What is the policy regarding representative's POI?

If you authorise another person to act as your representative to complete a transaction which requires POI, the same POI requirements apply to the representatives as apply to the applicant.

Who can verify POI documents?

The following are acceptable signatories for witnessing POI documents:

- Any officer of the NSW Maritime
- Any Roads & Traffic Authority (RTA) or Government Access Centre (GAC) authorised officer. (Name, Signature, Issue Centre Number, Date & GAC or RTA office stamp must appear on the document)
- Any authorised Justice of the Peace (appointment number must appear on the document)
- Any NSW Police Officer (rank and station stamp must appear on the document)
- Any Judge, Magistrate, Bank Manager, Solicitor, or School Principal
- Authorised Licence Testing Officers (for licence tests only)
- Boatcode Agents (for the purpose of affixing/validating a HIN)
- Any NSW Maritime accredited Marine Dealer (for initial vessel registration only).

Applicants unable to attend a NSW Maritime operations centre can lodge applications by mail provided POI has been sighted and verified by an acceptable signatory and must include the following details:

- Document name, number and expiry date or issue date
- Signatory's name
- Signatory's title/position
- Provider number/stamp (whichever is applicable)
- Signatory's signature
- Date.