1. At the special meeting of the Council of Australian Governments on Counter-Terrorism on
5 October 2017, leaders agreed to establish a National Facial Biometric Matching Capability and signed an Intergovernmental Agreement (IGA) on Identity Matching Services.
2. This is to help to protect Australians by making it easier for security and law enforcement agencies to identify people who are suspects or victims of terrorist or other criminal activity, and prevent the use of fake or stolen identities.
3. Under the IGA, agencies in all jurisdictions will be able to use new face matching services to access passport, visa, citizenship and driver licence images, while maintaining robust privacy safeguards.
4. The National Facial Biometric Matching Capability will have the ability to link the facial recognition systems of participating agencies in which images may be shared on a query and response basis, via a central exchange or interoperability hub. This model does not involve creating a central database and ensures agencies retain ownership and control over their own data.
5. Signing the IGA represented only the first step towards Queensland’s participation in the National Facial Biometric Matching Capability. Significant further activity is required prior to the National Facial Biometric Matching Capability reaching its full operational capacity in Queensland, including: progression of legislative change for all participating jurisdictions (including the Commonwealth); finalisation of intergovernmental participation/access and management agreements; completion of technical and IT interoperability systems; and privacy impact assessments.
6. To achieve the necessary Queensland legislative change the Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018 (the Bill) amends the *Transport Planning and Coordination Act 1994*, the *Transport Operations (Road Use Management) Act 1995*, the *Police Powers and Responsibilities Act 2000* and the *Police Service Administration Act 1990* to create a legislative framework enabling Queensland’s participation in the National Facial Biometric Matching Capability.
7. The Bill also includes amendments to explosives offences in the Criminal Code to ensure that the offence provisions reflect the danger posed by highly volatile homemade explosives. Specifically, the maximum penalties of section 470A (Unlawful deposition of explosive or noxious substances) and section 540 (Preparation to commit crimes with dangerous things) of the Criminal Code are increased to seven years imprisonment. Additionally, the application of section 470A is extended to the making or possession of explosives in circumstances that may injure a person or damage property.
8. Cabinet approved the introduction of the Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018 into the Legislative Assembly.
9. *Attachments*
* [Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018](Attachments/Bill.pdf)
* [Explanatory Notes](Attachments/ExNotes.pdf)