



Queensland

*Adult Proof of Age Card Act 2008*

# **Adult Proof of Age Card Regulation 2010**

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Queensland

# Adult Proof of Age Card Regulation 2010

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# Adult Proof of Age Card Regulation 2010

## 1 Short title

This regulation may be cited as the *Adult Proof of Age Card Regulation 2010*.

## 2 Commencement

This regulation commences on 24 July 2010.

## 2A Definition

In this regulation—

***current postal address***, for a person, means a postal address—

- (a) given by the person to the department for use by the department (whether or not it was given for the purpose of this regulation); and
- (b) for which no written or oral notice from the person, requiring the department to discontinue use of the postal address, has been received by the department.

## 3 Fees

The fees payable under the Act are stated in schedule 1.

## 3A Waiving payment of particular fee for person affected by natural disaster

- (1) This section applies if—
  - (a) a person applies for a replacement adult proof of age card because the card was damaged or lost; and
  - (b) the chief executive is satisfied the card was damaged or lost because of a natural disaster.
- (2) The chief executive may waive the fee payable under section 18(3)(b)(ii) of the Act for the application.

**3B Waiving payment of application fee if licence surrendered or cancelled**

- (1) This section applies if—
- (a) a person applies for an adult proof of age card under section 8 of the Act; and
  - (b) before applying, the person had a Queensland driver licence that—
    - (i) was surrendered under the driver licensing regulation, section 123; or
    - (ii) was cancelled under the driver licensing regulation, section 125 for a ground mentioned in the regulation, section 124(a); and

*Note—*

The driver licensing regulation, section 124(a) provides a Queensland driver licence may be cancelled on the ground that the licensee has a mental or physical incapacity that is likely to adversely affect the licensee's ability to drive safely.

- (c) the application is the first application for an adult proof of age card made by the person after the surrender or cancellation of the person's Queensland driver licence.
- (2) The chief executive may waive the fee payable for the application under section 8(2)(b)(ii) of the Act.
- (3) In this section—

***driver licensing regulation*** means the *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010*.

***Queensland driver licence*** see the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

**4 Adult proof of age card not received in post**

- (1) This section applies if—
- (a) the chief executive issues an adult proof of age card; and

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- (b) the holder has not, within the time stated by the chief executive when the holder's application for the card was made, received the card in the post—
    - (i) if there is a current postal address for the holder—the postal address; or
    - (ii) otherwise—the address stated in the application.
  - (2) The holder must promptly notify the chief executive that the holder has not received the adult proof of age card.
  - (3) If the chief executive is satisfied that the holder has not received the adult proof of age card because it has been lost or stolen, the chief executive may issue a replacement adult proof of age card to the holder.

*Note—*

See also section 19 of the Act, which requires a holder to give the chief executive notice if a card has been, or is reasonably suspected of being, lost or stolen.

## **5 Change of name, address or postal address**

- (1) This section applies if the holder of an adult proof of age card—
  - (a) changes—
    - (i) the holder's name or address; or
    - (ii) if there is a current postal address for the holder—the postal address; and
  - (b) gives the chief executive notice of the change.
- (2) If the chief executive is satisfied the information given by the holder is correct, the chief executive must—
  - (a) record the change in the APA register; and
  - (b) for a change of name—give the holder a replacement adult proof of age card that records the change of name.
- (3) No fee is payable for—
  - (a) recording the change in the APA register; or

- (b) a replacement adult proof of age card for a change of name.

## 6 Notifiable events under other Acts

- (1) This section applies if the holder of an adult proof of age card—
  - (a) has an obligation under the Act to notify the chief executive of a notifiable event; and
  - (b) has an obligation under a prescribed smartcard Act to notify the chief executive, or the general manager under the *Maritime Safety Queensland Act 2002*, of the same notifiable event; and
  - (c) complies with the obligation under the prescribed smartcard Act.
- (2) The obligation under the Act to notify the chief executive of the notifiable event is taken to have been satisfied if any time allowed to make the notification under the Act has not expired.
- (3) In this section—

***notifiable event***, for the holder of an adult proof of age card, means any of the following—

  - (a) a change of the holder's name;
  - (b) a change of the holder's address;
  - (c) if there is a current postal address for the holder—a change of the postal address.

***prescribed smartcard Act*** means any of the following Acts—

  - (a) the *Tow Truck Act 1973*;
  - (b) the *Transport Operations (Marine Safety) Act 1994*;
  - (c) the *Transport Operations (Passenger Transport) Act 1994*;
  - (d) the *Transport Operations (Road Use Management) Act 1995*.

**7 Dealing with superseded adult proof of age card**

- (1) This section applies if—
  - (a) a person has in the person's possession a superseded adult proof of age card; and
  - (b) the chief executive gives the person a notice requiring the person to destroy the adult proof of age card in a stated way.
- (2) The person must comply with the notice.  
Maximum penalty—20 penalty units.
- (3) However, this section does not apply if the person is required to return the adult proof of age card to the chief executive under the Act.

## **Schedule 1      Fees**

section 3

	<b>\$</b>
1    Application for adult proof of age card (Act, s 8(2)(b)(ii) or 9(2)(c))	69.00
2    Application for replacement adult proof of age card (Act, s 18(3)(b)(ii))	69.00