

**TASMANIA**  
**LEGISLATIVE COUNCIL**

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SESSION 2023

**NOTICE OF MOTION**

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29 June 2023

I (**Ms Webb**) give Notice that tomorrow I shall move —

- (1) That the Legislative Council notes:—
  - (a) All Australian States and Territories agreed in October 2017, under an Intergovernmental Agreement, to participate in the Commonwealth Government's *National Driver Licence Facial Recognition Solution (NDLFRS)*;
  - (b) On 31 July 2019, the *Identity-matching Services Bill 2019* was introduced into the Federal Parliament to establish a legislative biometrics matching scheme for the NDLFRS, but was subsequently withdrawn following concerns raised by a variety of legal, privacy and human rights experts, and criticisms from the relevant Federal parliamentary committee;
  - (c) Interstate jurisdictions determined they would not share data via the NDLFRS until the Commonwealth laws are in place.
  - (d) That based upon data provided by government a total of 468, 392 Tasmanian drivers licence photos were transferred to the NDLFRS between December 2018 and 16<sup>th</sup> of December 2020, without public consultation and despite the absence of Commonwealth legislation to regulate the NDLFRS and provide privacy protections and oversight mechanisms;
  - (e) The statement provided to the Parliament from the Minister for Infrastructure and Transport dated the 28<sup>th</sup> of October 2020, that the Tasmanian data uploaded to the NDLFRS will not be used until Commonwealth legislation is in place and relevant Tasmanian legislation reviewed, with the latter to occur in context of any eventual Commonwealth legislation;
  - (f) Tasmania paused the daily transfer of records to the NDLFRS on 16 December 2020.
- (2) That the Legislative Council calls on the Tasmanian government to:
  - (a) Formally cease any current and future uploading of Tasmanians' records to the NDLFRS in the absence of appropriate Commonwealth privacy protection and oversight legislation;

- (b) Immediately establish a secure process by which to delete all uploaded Tasmanian drivers licence photos from the NDLFRS; and
- (c) Commit to undertaking thorough public consultation prior any future state participation in the NDLFRS should the required Commonwealth legislation be enacted.

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*Signed*