



Australian Government

**Department of Infrastructure, Transport,
Regional Development and Local Government**

Changes to the MSIC Scheme

New Maritime Security Relevant Offence List

On 1 July 2010, the Government introduced new regulations to enhance the Maritime Security Identification Card (MSIC) regime.

What is happening?

From 1 July 2010, your MSIC application or renewal will be checked against a new expanded set of criminal offences. These new offences include:

- piracy;
- assassination, murder, attempted murder and manslaughter;
- a range of aggravated assault offences, whether or not the assault results in injury;
- kidnapping and hostage taking offences;
- incitement to racial hatred and incitement to vilification;
- affray or riot;
- arson offences;
- weapons, firearms and explosive offences not already covered in the Regulations;
- bribery, corruption and graft offences;
- extortion, racketeering and blackmail offences;
- false testimony, perjury or subverting the course of justice;
- a range of forgery and fraud offences not already covered in the Regulations;
- identity fraud offences including passport and visa offences;
- a number of drug trafficking offences not already covered in the Regulations;
- a range of conspiracy offences; and
- hoax/threat offences not already covered under the Regulations.

A full list of the eligibility criteria offence category can be found at <http://www.infrastructure.gov.au/transport/security/maritime/msic.aspx>.

What does this mean?

It means that the criminal history background checks done on your MSIC application will take into account the new set of criminal offences, and this from 1 December 2010 will happen more often (every 2 years instead of every 5 years).

Why have these changes been made?

To strengthen security in Australia's maritime and offshore oil and gas industries. A comprehensive review of the MSIC scheme conducted by the Office of Transport Security revealed that the previous eligibility criteria required adjustment to respond to maritime security risk, including the threat of 'trusted insiders' to the maritime and offshore oil and gas industries.

What if I'm affected?

If you are affected and cannot get or renew an MSIC, you can appeal this decision to the Secretary of the Department of Infrastructure, Transport, Regional Development and Local Government. For more information, you can:

- email: ID.Security@infrastructure.gov.au; or
- call 02 6274 7748 for further assistance.

Choice of 4 or 2 year MSICs

What is happening?

From 1 December 2010, 5 year MSICs will no longer be given to MSIC applicants and holders.

Instead you may get a choice between:

- a 4 year MSIC with an initial background check and another after 2 years; or
- a 2 year MSIC

What does this mean?

It means that people who think they will be working in the maritime industry for more than 2 years can apply for a 4 year card. People who think they will only require an MSIC for less than 2 years can apply for a 2 year card.

What if I have an MSIC that hasn't expired yet?

Your card will remain valid and you will not have to re-apply for another MSIC until your card expires.

New Legal Obligations with MSICs for Holders

What is happening?

From 1 December 2010, you will be required to report to your MSIC issuing body or AusCheck any additional criminal offences that you get on your record which are considered to be a maritime relevant offence. You still have to report even if you did not get sent to prison.

What does this mean?

It means that if you are convicted of any new criminal offences by the courts (that are listed on the maritime relevant offence list) while you hold an MSIC then you will have to declare this within 7 days to either AusCheck or your MSIC issuing body.

Why have these changes been made?

To strengthen security in Australia's maritime and offshore oil and gas industries.

If I get a 4 year or 2 year MSIC, what do I need to do?

You need to keep your MSIC issuing body advised of your current address, telephone/mobile number and email address. This will assist with the background checking process.

Who is AusCheck?

They are a government agency that arranges background checking for MSIC applicants.

What is an MSIC Issuing Body?

They are the company who processed your MSIC application and gave you an MSIC.

How do I go about declaring an MSRO?

Tell the organisation that you (or your employer) got your MSIC from or to AusCheck on 02 6141 2000

How long do I have to declare?

Within 7 days of being found guilty of the maritime relevant offence by the courts.

How do I know if my criminal offence is on the New Maritime Offence List?

Examples of maritime relevant offences on this list can be found at A full list of the eligibility criteria offence category can be found at <http://www.infrastructure.gov.au/transport/security/maritime/msic.aspx>.

If your offence is on the list, or if you are unsure, then contact your issuing body or AusCheck.

What offences are not on the list?

Parking fines and minor vehicle/traffic offences are among the offences not included.

What if I don't declare that I have a Criminal Offence that is on the new list?

If you don't declare it to your MSIC Issuing Body or AusCheck and you are caught then you may have to pay a fine (a maximum of \$2,200) and your MSIC will be cancelled. This could also affect you getting another MSIC in the future.