



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services

Level 5, 1 Macarthur Street
East Melbourne VIC 3002
Telephone: +613 7005 8911
DX210759

Subordinate Legislation Act 1994

CONSULTATION CERTIFICATE

(Section 12C)

Amendment to the Service Victoria Identity Verification Standards 2020

I, Danny Pearson, MP, Minister for Government Services, and Minister responsible for administering the **Service Victoria Act 2018**, certify that in accordance with the guidelines made under the **Subordinate Legislation Act 1994** there has been consultation with:

- (a) the sectors of the public listed below, being sectors of the public on which a significant economic or social burden may be imposed by the proposed amendments to the Standards, so that the need for, and scope of the proposed amendments to the Standards have been considered in accordance with the Guidelines made under the **Subordinate Legislation Act 1994**.

The sectors of the public who have been consulted are:

- Office of the Victorian Information Commissioner (OVIC);
- Better Regulation Victoria;
- Service Agency members of Service Victoria's Policy Working Group (Ambulance Victoria; Registry of Births, Deaths and Marriages; Department of Education and Training; Department of Environment Land Water and Planning (including Solar Victoria); Department of Health; Department of Justice and Community Safety (including Registry of Births Deaths and Marriages; Working with Children Check Unit; Department of Jobs Precincts and Regions; Department of Transport; Department of Treasury and Finance; Game Management Authority; Residential Tenancies Bond Authority; Transport Safety Victoria; VicRoads; Victoria Police; Victorian Disability Worker Commission; Victorian Fisheries Authority; WorkSafe Victoria).
- Department of Premier and Cabinet (including Enterprise Solutions, Office of the General Counsel, Public Sector Reform and Victorian Centre for Data Insights).



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services

Level 5, 1 Macarthur Street
East Melbourne VIC 3002
Telephone: +613 7005 8911
DX210759

Dated:

A handwritten signature in black ink, appearing to read 'DP', written over a horizontal line.

The Honourable Danny Pearson MP
Minister for Government Services

23/02/2021



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services

Level 5, 1 Macarthur Street
East Melbourne VIC 3002
Telephone: +613 7005 8911
DX210759

Subordinate Legislation Act 1994

EXEMPTION CERTIFICATE

(Section 12F)

Amendment to the Service Victoria Identity Verification Standards 2020

I, Danny Pearson, MP, Minister for Government Services, and Minister responsible for administering the **Service Victoria Act 2018**, certify under section 12F(1)(a) of the **Subordinate Legislation Act 1994** that in my opinion, the proposed amendments to the Identity Verification Standards 2020 (the Standards) would not impose a significant economic or social burden on a sector of the public.

The reasons for forming this opinion are that the amended Standards continue to reduce economic and social costs by enabling a wider cohort of customers to complete transactions via Service Victoria. The amendments provide a reasonable level of equivalency with the existing identity verification process for a level of assurance three, which exists on the online platform. Further, the amendments will support more Victorians to verify their identity through a non-digital pathway, improving accessibility and inclusiveness on the Service Victoria platform, as provided for by the **Service Victoria Act 2018**.

Accordingly, a Regulatory Impact Statement is not required for these Standards.

Dated:

The Honourable Danny Pearson MP
Minister for Government Services

23/02/2021



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services

Level 5, 1 Macarthur Street
East Melbourne VIC 3002
Telephone: +613 7005 8911
DX210759

Subordinate Legislation Act 1994

HUMAN RIGHTS CERTIFICATE

(Section 12D)

Amendment to the Service Victoria Identity Verification Standards 2018

I, Danny Pearson, MP, Minister for Government Services, and Minister responsible for administering the **Service Victoria Act 2018** certify that, in my opinion the proposed amendments to the Identity Verification Standards 2020 (IDVS) may limit the section 13 right to privacy under the **Charter of Human Rights and Responsibilities Act 2006** (the Charter) however to the extent that amendments to Standard 11 in the IDVS may limit human rights, those limitations are reasonable and demonstrably justified in a free and democratic society.

Section 13 of the Charter states that a person has the right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with and the right not to have their reputation unlawfully attacked. This right to privacy protects a person from government interference and excessive, unsolicited intervention by other individuals.

The amendments to the IDVS establish a non-digital process for individuals to verify their identity. This amendment expands the information collected by the Service Victoria CEO to include a referee's personal information.

The collection and handling of this information may give rise to a prima facie interference with an individual's privacy. However, the interference with privacy will not be arbitrary if it is reasonable in the circumstances and in accordance with the Charter.

Any interference with privacy is not unlawful or arbitrary because the referee has consented to providing their information, the collection is necessary to verify the applicant's identity as an alternative to the digital process and the collection, use and handling of the information will be in accordance with the IDVS, the *Service Victoria Act 2018* and the *Privacy and Data Protection Act 2014*.

I therefore consider that, to the extent the IDVS relating to the non-digital process for identity verification may limit an individual's right to privacy, the limitation is reasonable and proportionate to the objective of ensuring individuals have improved accessibility and inclusiveness of the Service Victoria platform by strengthening non-digital methods for identity verification. These non-digital methods provide an alternative pathway for customers unable to transact online, ensuring customers have a viable alternative to transacting online.



The Hon. Danny Pearson MP

Assistant Treasurer
Minister for Regulatory Reform
Minister for Government Services

Level 5, 1 Macarthur Street
East Melbourne VIC 3002
Telephone: +613 7005 8911
DX210759

Dated:

A handwritten signature in black ink, appearing to read 'DP', written over a horizontal line.

The Honourable Danny Pearson MP
Minister for Government Services

23/02/2021