



Australian Government
**Department of Infrastructure
and Regional Development**

ASIC issuing body revocation guidance

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1. Purpose and audience

This document outlines an issuing body's obligations and requirements under the Aviation Transport Security Regulations 2005 (ATSR) when considering whether to have their issuing body authorisation revoked.

2. What does 'revocation' mean?

When an issuing body's authority to perform the functions and exercise the powers of an issuing body have been withdrawn by the Secretary of the Department of Infrastructure and Regional Development (the Department), it is considered to be revoked. The decision to revoke an issuing body's authority is a regulatory decision that:

- must be made if, in the Secretary's opinion, the issuing body's ASIC program does not adequately address procedures required of issuing bodies, and allowing the authorisation to continue would be likely to be a significant threat to aviation security (ATSR 6.19); or
- may be made on the Secretary's own initiative, or on application by the issuing body (ATSR 6.19A).

There are many reasons why an issuing body may no longer wish to issue ASICs including:

- if the company is sold;
- if the company goes into receivership; or
- if the issuing of cards is no longer considered a priority of the company.

3. Different types of revocation

Regardless of the type of revocation, it is important that any holders of valid ASICs are continually provided with issuing body services for them to meet their regulatory obligations.

Transitional revocation

If an issuing body applies to have its authority revoked, the Secretary may consider it appropriate to declare them a transitional issuing body. This decision is made in consultation between a delegate of the Secretary of the Department and the revoking issuing body, and depends on the reason for the revocation request. Once declared transitional, an issuing body is not permitted to accept or process any new applications for ASICs. A transitional issuing body does however, continue to provide issuing body services to any remaining valid card holders until the last card expires or is cancelled. Once the last card expires or is cancelled, the issuing body is considered revoked (ATSR 6.22A).

Direct revocation

If an issuing body is unwilling or unable to become transitional, the Secretary may decide to directly revoke an issuing body. Direct revocation requires the transfer of holders of valid cards from the revoking issuing body to another issuing body. This transfer can only happen with the approval of the Secretary. During this process there is an expectation that the revoking issuing body would seek to reach an agreement with another issuing body to take on their valid card holders (ATSR 6.20 and 6.22).

4. How does an issuing body apply to revoke

If an issuing body wishes to have its authority revoked, it is required under regulation (ATSR 6.20) to apply, in writing, to the Secretary. In making their application, an issuing body may also choose to provide information regarding their card issuance, including:

- The number of cards issued that are:
 - valid;
 - suspended; and
 - cancelled (but may be subject to a valid background check);
- If there are any applications still pending; and
- The date when the last issued card will expire.

Upon receiving a written application for revocation, the Secretary is required to make a decision within 30 days. During this period, officers of the Department will work with the issuing body to determine the appropriate type of revocation and provide guidance on working through the process.

5. For further information

Further information regarding issuing body revocation can be obtained from the Office of Transport Security Guidance Centre at:

Phone: 1300 791 581, or

Email: GuidanceCentre@infrastructure.gov.au