

## Regulatory Impact Statement

### Passport validity period and other changes to modernise the Passports Act 1992

#### Agency disclosure statement

This Regulatory Impact Statement (RIS) has been prepared by the Department of Internal Affairs (the Department).

It provides an analysis of the impacts of proposed changes to the Passports Act 1992 (the Act) which would need to be progressed through a Passports Amendment Bill.

When the Act was enacted in 1992, paper-based processing for the issuance of travel documents was the norm. Significant changes have been made to those processes since that time, mainly due to the necessary and ongoing security enhancements made to travel documents, and the subsequent business and technological changes. The Act needs to be updated to reflect some of these changes. Although there is no intention to significantly change the powers within the Act, the changes proposed in this paper need to be effected through legislation.

This RIS focuses on the specific areas where there may be substantive compliance impacts for the public, the Department, or other government agencies. The RIS also encompasses financial impacts to the Department and benefits to the public arising from the proposed changes.

A number of the changes relate to low volume transactions provided by the Department and only affect small numbers of individuals. Evidence of the impact of these changes is difficult to obtain.

None of the proposed options should impose extra costs on business or impose added restrictions on the freedom to travel, other than those which already exist. It is believed that the proposed changes will not raise any concerns under the New Zealand Bill of Rights Act 1990.

Several proposed changes to the Act are of a minor nature. These amendments are designed to clarify the application of the Act, or to remove outdated provisions in the Act. The Department considers that those amendments carry no compliance costs and, that whilst they are referred to in this RIS, it is not necessary to include an analysis of such amendments.

I have reviewed the RIS prepared by the Department of Internal Affairs and consider that the information and analysis summarised in the RIS meet the quality assurance criteria.

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Paul James, Chair, Regulatory Impact Analysis Panel  
Department of Internal Affairs

/ /2013

## **Background and Status Quo**

1. The Passports Act 1992 (the Act) affirms every New Zealand citizen's right to a passport, subject to express limitations specified in the Act. The Act provides that the Minister of Internal Affairs has the power to issue, renew, recall and cancel passports, emergency travel documents, certificates of identity and refugee travel documents. The Department of Internal Affairs (the Department) issues approximately 600,000 travel documents each year. The Act also contains various offence provisions in relation to travel documents.
2. The Act was last amended in 2005. Those amendments mainly focused on preserving the integrity of New Zealand passports and other travel documents in light of the security concerns at that time. The changes also included reducing the validity period of a New Zealand passport from ten years to five years.

## **Problem Definition**

3. When the Act was enacted, paper-based processing of applications and the issuance of travel documents was the norm. However, the issuance processes for all travel documents have changed substantially since that time. The Act does not adequately reflect the changes in issuance processes or other changes to business and operational processes that have taken place since it was amended in 2005. These changes have been mainly required by the security enhancements made to travel documents. Service improvements to the passport system, made through the Passport Service Redevelopment Programme (PSRP), have also led to business and process changes.
4. The New Zealand passport is recognised as a trusted and secure travel document. The integrity of the passport system allows New Zealanders freedom to travel to over 165 countries through visa-free or visa-on-arrival arrangements. This integrity can only be maintained by a regulatory regime that is fit for purpose. However, some provisions in the Act are increasingly in conflict with the provision of a secure, efficient and effective passport service, because they do not reflect the change from paper-based to electronic processes or the use of the passport database. Updating the Act will therefore reduce risks to good regulatory performance and allow for further improvements in the operation of the passport service.
5. In addition, with the change in the validity period to five years, many New Zealanders consider they are not able to make full use of this validity period. This is because some countries require a passport to be valid for up to six months beyond the date of entry to that country. New Zealanders therefore need to renew their passports well before its expiry date if they wish to travel to those countries. This means that many applicants, when they are renewing their passport, lose a period of their passport validity for which they have already paid. Approximately 35 per cent of individuals currently renew their passport before its expiry date. Any change to the validity period for travel documents can only be effected by amending the Act.

## **Objectives of Regulating**

6. The objectives for considering changes to the Act are to:
  - ensure that New Zealand travel documents remain robust and secure;
  - preserve the integrity of the New Zealand passport system;
  - meet international standards and best practice;
  - give full effect to New Zealand citizens' entitlement to a New Zealand passport, subject to limited justifiable restrictions;

- provide proper authority and transparency for the authorising powers affecting the issuance, recall and cancellation of all New Zealand travel documents; and
- ensure the issuance of travel documents is undertaken in an efficient way.

### Regulatory Impact Analysis

7. A number of the proposed changes have regulatory impacts on either the public or government agencies. They are therefore the subject of analysis with regard to their regulatory impacts in this RIS. These amendments:
- change the validity period of travel documents;
  - update existing powers in the Act which seek to prevent the use of a passport in certain limited circumstances;
  - extend the powers in the Act which tackle illegal attempts to get a New Zealand passport; and
  - update the Act to reflect that recalled passports do not now need to be received by the Department in order to be cancelled.

### Options

#### Validity period of the New Zealand passport

**Status quo:** The Act currently sets the maximum validity period of the New Zealand passport at five years. Any change to the maximum validity period would require a change in legislation.

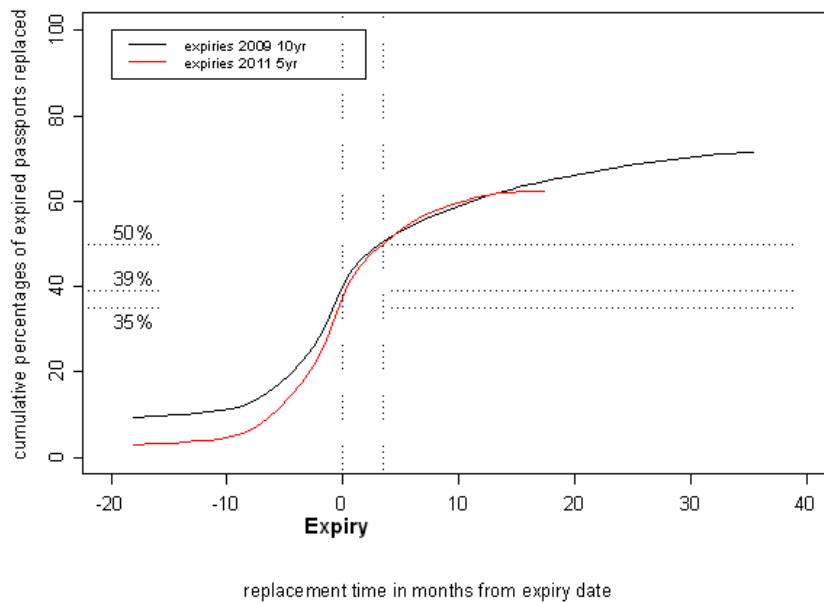
**Problem:** Some countries require a passport to be valid for up to six months beyond the date of entry to that country. New Zealand citizens who wish to travel to those countries need to apply for a new passport if they do not have six months remaining on their passport. A new passport with a five-year validity period is issued to them but can only be valid from its date of issue and does not take into account the fact that there is an unused validity period on the original passport. Some New Zealanders therefore consider they are not able to make full use of the five year validity period which they have paid for. Whilst this is an issue that affects all passports, no matter what their validity period is, this six-month validity requirement equates to losing more than ten per cent of the validity period of a five-year passport.

However, this is not a problem that affects most passport holders. Many individuals will not be using their passport during the last stages of its validity period, whilst others may travel to countries which do not require a passport to have six month's validity remaining on it. It is also the case that not everyone renews their passport when it expires and this is highlighted by the passport renewal rates.

Figure 1 below shows the renewal rates for ten-year passports which expired in 2009 and for five-year passports which expired in 2010.

## Validity period of the New Zealand passport

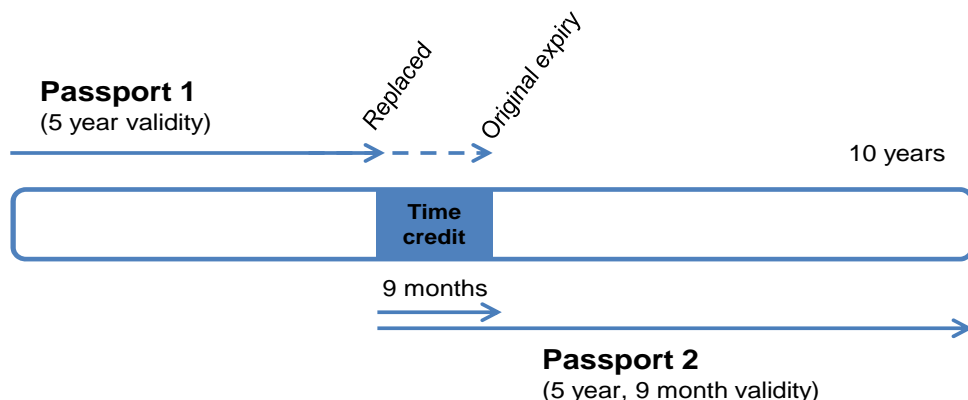
**Figure 1: Percentage of expired passports replaced**



Analysis of the passport renewal rates indicates that whilst there has been a change in the passport validity period, in both cases approximately 35 per cent of passport holders renewed their passports early, whilst another group of approximately 15 per cent renewed their passports shortly after its expiry date. The replacement rate for passports which have expired then drops very rapidly. Most individuals, if they have not renewed their passport early or close to the expiry date, tend to leave it for a long period or until they wish to travel again (if they renew it at all).

**Preferred option:** The preferred option, to help individuals who need, or wish, to renew their passports early, is to increase the passport validity period in the Act to a new maximum of five years and nine months (for replacement passports). This would mean that adult and child applicants, who apply up to nine months in advance of the current passport's expiry date, can be issued with a passport that is valid for five years and the remaining portion of the validity period (up to nine months). Figure 2 demonstrates how this would apply in practice.

**Figure 2: Time credit when passport renewed early**



## Validity period of the New Zealand passport

**Other options considered:** Two other options for increasing the passport validity period were considered. These were to increase the passport validity period to five years and six months or to increase it to ten years.

### *Option 1 – Five years and six months as a standard validity period*

This option would give all passport applicants an extra six months validity period on their passport, irrespective of whether or not they actually needed that added time. However, they would lose some, or all, of the added time remaining on the passport if they applied early for a new passport which would only be valid from its date of issue.

The individuals who would most directly benefit from this approach are those who currently have to renew their passport close to the end of the five-year period (approximately 35 per cent of renewals) because of a need to travel at that time. This is the same group who would also benefit from the preferred option. A further group (of approximately 15 per cent of renewals) who currently renew their passport just after its expiry date would also benefit from this approach. Once the five year point is reached though, individuals may face the problem of having to renew their passport early, and thereby lose some of the additional six months, if they wish to travel to countries which require six months' validity to be remaining on a passport. This is potentially the same problem that exists currently, except that individuals will believe that they have paid for a passport with five year and six month validity but that it is only valid for five years.

### *Option 2 – Ten-year validity period*

A move to a ten-year passport validity was also considered.

This option would give all passport applicants an extra five years validity period on their passport. Again, individuals would face the issue of having to renew their passport early, and thereby lose some of the additional five years, if they wish to travel to countries which require six months validity to be remaining on a passport.

This option would appear to benefit between 60 per cent and 70 per cent of passport holders who renew their passports before it expires, or up to several years after it expires. However, the evidence also suggests that many individuals do not renew their five-year passports and would therefore be paying for an extra five-year validity period they may not use.

A number of other risks, which do not apply to the other options considered, have been identified with this approach.

This would be a move away from the international best security practice cited by the International Civil Aviation Organisation<sup>1</sup>, which New Zealand has applied since 2005. The longer a passport book series remains in circulation there is an increasing risk that fraudsters would be more likely to try to counterfeit it. Whilst modern passport books include chip technology, the durability of this is untested over a ten-year period.

If counterfeiting or fraudulent use of a New Zealand passport increases, it is possible that

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<sup>1</sup> This specialised agency of the United Nations establishes standards, specifications and recommended practices for the issuance of passports and other travel documents. The ICAO has 188 contracting States and 159 of them (or approximately 80 per cent) issue five-year passports (ICAO Information Paper – 29 July 2011). The ICAO Guide for Assessing Security of Handling and Issuance of Travel Documents (January 2010) recommends that “States should normally provide that passports be valid for a period of at least five years... and not more than ten years ...”. It also recommended that, for security purposes, documents should be re-designed and replaced every five years but that “service, volume and financial controls needed to be taken into consideration”.

## Validity period of the New Zealand passport

some jurisdictions may review visa-free access for New Zealanders (although other considerations would also be taken into account in deciding to discontinue visa-free access). Due to New Zealand's geographical isolation visa-free access is an important factor in keeping travel and and business costs down for all New Zealanders.

'Smartgate' technologies facilitate the speedy movement of large numbers of people through border controls and are likely to operate less efficiently with older passport books containing older photographs. A reduction in Smartgate performance would lead to increased delays for New Zealanders at border crossings and increased costs for border staff.

Similar facial recognition technology is used by the Department when matching passport renewal applications against the passport database. This process may be adversely affected if photographs submitted with passport applications need to be matched against much older photographs on the passport database, thus slowing down the issuance of replacement passports. Processing costs will also increase if additional checks on applicants then need to be undertaken. This would increase the cost of a passport for all New Zealanders.

A change to a ten-year validity period for passports would lead to increased charges from the Department's suppliers due to reduced demand for passport books and materials. These products tend to be significantly cheaper when ordered in larger quantities. If the cost of these materials rises then the production cost of each passport will rise.

The change in validity period would require major changes to the passport computer systems and business processes which have been built to support a five-year validity period. The costs of these changes would need to be recovered from passport fees.

Significant resources have been invested in the PSRP. Reduced passport fee income may impact on the Department's future ability to invest in improving passport services. Efficiencies gained from the PSRP helped lead to a reduction (by up to 19 per cent) in the price of adult passports in November 2012.

In addition, revenue from passport fees would drop dramatically five years after the change was implemented, but it would be difficult to reduce fixed costs associated with passport processing. It would be necessary to increase passport fees significantly to recover the costs of processing smaller volumes of passports with the same level of fixed costs.

**Regulatory and financial impact:** Under the preferred option, the Act would be amended to enable all applicants who need to renew their passports up to nine months before it is due to expire, to have any 'lost' time from their current passport, credited to their new passport. On current passport renewal rates this reduces the regulatory burden for between 35 per cent and up to 50 per cent of passport applicants who will benefit by having this lost time added to their new passport.

The processing of passport applications is financed on a cost recovery model. This means that any loss of income from passport applications is likely to lead to increase in passport fees (despite efficiency gains from the PSRP).

The **preferred option** has the benefit not having a financially negative impact on passport applicants. The current financial model for the passport system is based on a five-year passport validity period. As the overall validity period for any two consecutive passports will still be ten years, passport fees should be unaffected.

The other two options carry significant financial risks which could subsequently be reflected

## Validity period of the New Zealand passport

in higher passport fees.

**Five year and six months option** – An increase in the passport validity period to five years and six months will lead to an estimated loss of income of approximately \$19 million over a period of ten years. This could lead to a rise in the price of passports for all applicants but only about 50 per cent of applicants would benefit from this change.

**Ten-year option** – An increase in the passport validity period to ten years will lead to a significant fall in income of an estimated \$200 million over a period of ten years. This would require a large increase in passport fees to recover costs. Many individuals only use their passports for short periods of time but all passport applicants would still have to pay a (significantly) larger fee. Other regulatory and financial burdens may increase if this change leads to longer term concerns about the security of the New Zealand passport and a subsequent requirement to apply and pay for visas to visit other countries.

## Validity periods of Refugee Travel Documents and Certificates of Identity

**Status quo:** Refugee Travel Documents (RTDs) have a maximum validity period of two years. There is no ability to provide an RTD for a longer validity period.

Certificates of Identity (COIs) have a maximum validity period of four years. That validity period does not align with the risks associated with establishing an applicant's identity.

### **Problem:**

#### *RTDs*

The RTD is issued to individuals granted refugee status in New Zealand who then subsequently need to travel outside New Zealand. Under the Act, an RTD can be renewed, but only once, giving a maximum validity period of four years. In practice a new RTD is issued because each travel document has a unique security 'chip'. However, it normally takes approximately five years for a refugee to acquire New Zealand citizenship.

#### *COIs*

COIs are issued to individuals who are not New Zealand citizens and who cannot get travel documents from their own country of nationality (normally for reasons of short-term political upheaval). The Act currently states that COIs can be valid for up to four years or for a shorter period if determined in particular cases. In practice, COIs are only issued for a one-year period because there can be uncertainty about the individual's real identity.

### **Preferred option:**

#### *RTDs*

The preferred option is to increase the validity period of an RTD to a maximum of five years. This would align the validity period with that normally required by refugees to acquire New Zealand citizenship and reduce costs and inconvenience for the applicant.

Extending the validity period is unlikely to introduce any greater risk relating to fraudulent refugee applications. RTDs can be cancelled at any time, if necessary, but this is very rare.

#### *COIs*

The preferred option is to reduce the validity period to a maximum of two years. This would be more consistent with current risk assessment processes whilst also allowing for exceptional cases.

## Validity periods of Refugee Travel Documents and Certificates of Identity

### Other options considered:

#### *RTDs*

The other option considered was to retain the status quo. However, this would mean that refugees may need to acquire at least two RTDs over a five-year period before becoming eligible to apply for New Zealand citizenship, when there is no real need for them to do so.

#### *COIs*

Alongside retaining the status quo, it was considered whether the maximum validity period for COIs should be reduced to one year – to reflect the current standard practice. However, it was believed that this could be too restrictive as there may be circumstances where a longer validity period is warranted.

**Regulatory and financial impact:** RTDs and COIs are both issued in small numbers.

#### *RTDs*

On average, 324 RTDs are issued each year. They have a current fee of \$81.70. If RTDs are given a longer validity period of 5 years the number of applications will fall to approximately 130 per annum. The income to the Department from RTDs will therefore also fall, from \$26,471 per annum to \$10,621 per annum, a decrease of \$15,850.

However, the production of RTDs is subsidised by the fees for adult passports. RTDs each cost an estimated \$246.70 for the Department to issue. Therefore the cost to the Department of issuing RTDs is also estimated to fall from \$80,222 per annum to \$32,188 per annum, a decrease of \$48,034.

There is a reduced regulatory burden for refugees who need RTDs as they would only apply for one RTD in a five-year period rather than two.

#### *COIs*

On average 217 COIs are issued each year and the vast majority are currently issued with a one year validity period. The reduction in the maximum validity period for COIs in the Act will therefore have little regulatory impact on individuals. It will also have no financial impact on the Department.

## Validity period of temporary passports

**Status quo:** Section 12 of the Act sets out that the Minister may require individuals who are subject to proceedings for deprivation of their citizenship, to surrender their New Zealand passport. However, under section 13 of the Act, on application, they are entitled to a 'temporary' passport of six months' duration because they are considered to be New Zealand citizens until deprivation proceedings are complete.

**Problem:** The current requirement to issue a six-month passport does not take account of the fact that, increasingly, many countries will not let a person enter with a travel document that is only valid only for six months or less. This means that a six-month passport is of very little use in facilitating travel.

**Preferred option:** The issuance of a passport with a limited validity period, of up to a maximum of two years (deprivation of citizenship proceedings can take longer than twelve months).

**Other options considered:** Other options considered were retaining the status quo and increasing the maximum validity period to match the standard passport validity period of five



### Validity period of temporary passports

years.

The status quo is not appropriate because a passport with a six-month validity period cannot be used in many countries.

It would also be inappropriate to issue someone who is subject to deprivation of citizenship proceedings a passport with a five-year validity period. The intent of the proceedings is to remove their citizenship, and therefore their entitlement to a passport before that time is complete. The Department believes that a passport with a maximum validity period of two years is more appropriate in these circumstances.

**Regulatory and financial impact:** There are only two to three deprivation of citizenship proceedings each year. Therefore the financial impact on the Department and the regulatory impact on the public is very small. The Department cannot charge for these passports and does not gain nor lose financially from the extended maximum validity period. A small number of individuals may benefit because, whilst they may be subject to deprivation of citizenship proceedings in New Zealand, they can be issued with a passport that is accepted in more countries than one with a six-month validity period.

### Recall and cancellation of travel documents

**Status quo:** The Act currently provides that the Minister may, for specified reasons “by notice in writing”, recall travel documents if the Department wishes to retain, or cancel them.

**Problem:** Under the Act, this practice requires a travel document to be received by the Department before it can be cancelled. For instance, cancelled passports are physically defaced (the corners are cut) so that the documents cannot be used for travel. However, ensuring a travel document is returned to the Department when it has been recalled can be very difficult. The Department may not know the current location of the document holder because they are deliberately avoiding contact, or they may have simply changed address since the travel document was issued.

**Preferred option:** The preferred option is allow for the travel document to be cancelled on the passport database without it necessarily having been physically received by the Department. A requirement to notify the document holder that this action is taking place will remain.

**Other options considered:** The other option considered was to retain the status quo. However, this would mean that the problem will continue.

**Regulatory and financial impact:** There is no increase the regulatory burden from these changes as no additions are being proposed to the ‘specified reasons’ in the Act which allow for the recall and cancellation of travel documents. The Department will also continue to make practical and reasonable attempts to notify the travel document holder that their travel document is being recalled or cancelled.

In addition, these changes will reduce regulatory burdens on individuals seeking to renew their passports. The Act will no longer set out an expectation that individuals should return their current passports to the Department when they need to apply for a new one, thus reducing cost and inconvenience to applicant.

## Preventing the use of a passport where the holder is subject to an arrest warrant or court order

**Status quo:** The Act provides that under certain circumstances the Minister of Internal Affairs can, or must, refuse to issue a passport. Under section 4 of the Act, applications for passports can be refused where, for example, the applicant is subject to:

- an arrest warrant or is on bail; or
- an order made by a New Zealand court, the effect of which requires the applicant to remain in New Zealand, to refrain from obtaining a passport or to surrender a passport.

Section 10 of the Act applies in cases where a passport has been issued. Under that section the Minister has the power to 'recall and retain' a passport where the passport holder is subject to an arrest warrant, or where the passport is in the wrongful possession of someone other than the holder. There are no statutory powers to recall a passport subject to a court order.

**Problem:** In cases where a passport has already been issued and there is a need to prevent its use, the process envisaged in section 10 of the Act is ineffective. This provides for the power to recall and retain possession of a passport by notification in writing. However, the details the Department holds for the passport holder may be out of date, or the passport holder may simply ignore any written request to return their passport.

With regard to court orders, the explicit powers to prevent use of a passport are very limited. For example, a court order can be issued under section 205 (Preventing removal of a child or young person from New Zealand) of the Children, Young Persons and Their Families Act 1989 for the surrender of any travel document of the child or young person, or of the person believed to be about to take a child out of New Zealand. Under section 4 of the Act, the Department can refuse to issue a passport to an applicant who is subject to a court order but there is no statutory power under section 10 of the Act to recall and retain the passport or prevent its use.

**Preferred option:** The preferred option is to amend the Act to permit the entry in the passport database of a flag, or marker, linked to the passport that indicates the passport is not able to be used for travel while an arrest warrant or relevant court order is in place. This flag would warn airline check-in staff, or border officials, that the passport holder is subject to an arrest warrant or court order. It would indicate that whilst the passport is not cancelled, the passport holder should not be allowed to travel until that matter is resolved. Practical attempts would also be taken to advise the passport holder about the status of their passport and that it has been recalled.

**Other options considered:** The only other option considered was to retain the status quo. However, the Department believes that it is unacceptable to continue to rely on a power that is not currently effective in preventing the travel of individuals seeking to evade court processes.

**Regulatory and financial impact:** The regulatory impact of this change is limited. The preferred approach reflects the intent of this section and updates it to reflect the computerised environment. When the arrest warrant or court order is lifted, the flag on the passport database will be removed. If necessary a new passport will be issued to the individual.

Very few arrest warrants or court orders are referred to the Department. This would only tend to happen if there is a real risk of an individual absconding. The police can already contact the border authorities directly. This will remain the case.

### **Preventing the use of a passport where the holder is subject to an arrest warrant or court order**

A small financial impact is expected for the Department with the development of a specific flag or marker for the passport database. This will be funded from within current departmental baselines. Airline and border control computer systems and processes are already set up to deal with similar types of flags presented through the passport system.

Whilst this power may only be used in limited circumstances, preventing an individual, who is the subject of an arrest warrant, from leaving New Zealand may save many significant costs to society further down the line. Once an individual is outside New Zealand, seeking their extradition is very a costly process on the justice system. It is also appropriate that the regulatory regime for the passports allows the Department to act in an efficient way, where it has been directed to do so by the New Zealand courts.

### **Extraterritorial application of the offence of ‘false representation’**

**Status quo:** The Act contains the offence of making a ‘false representation’ (section 32 of the Act) for the purpose of procuring, renewing or endorsing a New Zealand travel document. A false representation is the act of deliberately making a false written or oral statement in order to procure a New Zealand travel document.

Section 31A of the Act already extends jurisdiction for a number of offences involving the misuse of false or genuine passports, even if the act or omission alleged to constitute the offence did not occur in New Zealand.

**Problem:** Using false statements in applications made to the Department’s London or Sydney offices, or when outside New Zealand and applying via the new online renewal service, are not offences under the Act. The new online renewal service, which was launched in November 2012, allows New Zealanders to renew their passports from anywhere in the world. Whilst it has been a successful innovation, it has increased the current risk that individuals may maliciously supply false information in an attempt to acquire a New Zealand passport.

**Preferred option:** The preferred option is to apply extraterritorial jurisdiction to include the offence of false representation.

**Other options considered:** The other option considered was to retain the status quo. However, this would not address the increased risk of abuse that now exists.

**Regulatory and financial impact:** The preferred option has a low level regulatory impact. Currently, only about seven incidents of false representations are discovered each year. However, not all can be prosecuted – for example one or two already take place outside New Zealand. There would be a financial impact if the Department were to seek extradition in such cases but this is unlikely to be necessary. Current experience of false representation cases indicate that the passport-holder would be a New Zealand citizen who is likely to return to New Zealand in due course. They would therefore face prosecution on arrival.

The extraterritorial extension of this offence may help deter (but not eliminate) the risk of abuse. Any abuse of the passport system which cannot be addressed may lead to an undermining of the integrity of the New Zealand passport. This could, in the worst case, lead to other jurisdictions imposing visa restrictions affecting all passport holders, or a longer timeline for passport issuance as more security checks will need to be undertaken.

### *Minor amendments with no regulatory and compliance impacts*

8. A number of other proposed changes are minor in nature and do not alter existing arrangements. They are aimed at updating the language in the Act or amending the Act to reflect ongoing business process arrangements which do not have compliance impacts. These changes are necessary to:
  - improve transparency of decision making;
  - aid interpretation of the Act;
  - clarify that when travel documents are 'renewed', a new document is issued;
  - remove outdated provisions; and
  - clarify the different types of fees that can be charged (but no changes in fees are proposed).

### **Consultation**

9. Agencies that have been consulted about these options are the Ministry of Justice, the Ministry of Foreign Affairs and Trade, the Ministry of Business, Innovation and Employment (Immigration), the Ministry of Primary Industries, the Treasury, New Zealand Customs, New Zealand Police and the New Zealand Security Intelligence Service (NZSIS).
10. The Department of the Prime Minister and Cabinet has been informed.
11. There has not been any public consultation on the proposals to date. Members of the public and interested organisations will have the opportunity to comment on the proposals during consideration of a proposed Passports Amendment Bill by a select committee.

### **Summary and Conclusion**

12. The changes proposed seek to modernise the Passports Act 1992 to reflect the modern computerised service and to remove redundant provisions. There are only minor changes to the legislative powers in the Act which seek to make the Act more robust where it is currently less effective.
13. We recommend pursuing the proposed amendments through a Passports Amendment Bill as these proposals can only be effected through legislative change.

### **Implementation**

14. If Cabinet agree to make changes to the Act, a Passports Amendment Bill will be introduced to Parliament during 2013. The majority of proposals can be implemented directly by the Department. A number of the proposals will be implemented in consultation with the airline and border authorities to ensure implementation requirements are properly addressed.

### **Monitoring, Evaluation and Review**

15. The Department monitors and regularly reviews its service both in terms of financial monitoring and other levels of efficiency performance. Particular attention will be given to assessing the effects of the change to the passport validity period on individuals' perceptions of convenience and on the cost implications of the change. The other changes will also be subject to regular review as part of the Department's ongoing administration of the Act.