

House of Assembly—No 44

As laid on the table and read a first time, 22 July 2010

South Australia

Facial Identification Bill 2010

A BILL FOR

An Act to provide for facial identification in certain circumstances.

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The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Facial Identification Act 2010*.

2—Facial identification

5 (1) If a sign is displayed by the owner or occupier of prescribed premises indicating that a person must not enter the premises with his or her face obscured, a person whose face is obscured may—

- (a) be refused entry to the premises; or
- (b) be refused service at the premises; or
- (c) be removed from the premises (using reasonable force).

10 (2) For the purposes of this section, a person's face is *obscured* if it is covered to such an extent that insufficient facial features are visible to enable the person to be identified.

(3) In this section—

prescribed premises means premises used for the purposes of—

- 15 (a) an ADI; or
- (b) a State or Federal government agency; or
- (c) any other business or activity where, for reasons of security or for the purposes of compliance with any Act or law, it is necessary or desirable to establish the identity of persons in the premises so used.

3—Regulations

20 (1) The Governor may make such regulations as are contemplated by, or necessary or expedient for, the purposes of this Act.

(2) Without limiting subsection (1), regulations made for the purposes of this Act may—

- 25 (a) make provision in relation to the display of signs for the purposes of this Act; or
- (b) specify circumstances in which a person's face will, or will not, be taken to be obscured for the purposes of this Act.