

Annual report 2012–2013

Requirement for annual report

- 1.1 The Parliamentary Joint Committee on Intelligence and Security is established by section 28 of the *Intelligence Services Act 2001* (the IS Act). Under section 31 of the IS Act, the Committee is required to produce an annual report of its activities.
- 1.2 This report is made in compliance with this obligation and covers the period from 1 July 2012 to 30 June 2013. The report was delayed with the dissolution of the 43rd Parliament on 5 August 2013.

The Committee's structure and functions

- 1.3 Section 28(2)(3) of the IS Act stipulates that the Committee is a joint Committee of Parliament comprising eleven members, five of whom must be Senators and six of whom must be members of the House of Representatives. A majority of the Committee's members must be Government members.
- 1.4 Members are appointed by resolution of the House or the Senate on the nomination of the Prime Minister or the Leader of the Government in the Senate. Prior to nomination, consultation must take place with the leaders of recognised parties in each of the Houses.
- 1.5 The functions of the Committee are outlined in section 29 of the IS Act. A copy of these functions as at 30 June 2014 is included at Appendix A.
- 1.6 Under the IS Act, the Committee is charged with reviewing the administration and expenditure of all six intelligence agencies: the Australian Security Intelligence Organisation (ASIO), the Australian Secret Intelligence Service (ASIS), the Defence Signals Directorate (DSD), the

Defence Imagery and Geospatial Organisation (DIGO),¹ the Defence Intelligence Organisation (DIO) and the Office of National Assessments (ONA). Other matters may be referred by the responsible Minister or by a resolution of either House of the Parliament.

- 1.7 In addition to this function, the Committee is required to review, by 22 January 2016, the operation, effectiveness and implications of Division 3 of Part III of the *Australian Security Intelligence Organisation Act 1979*.
- 1.8 Amendments to the *Criminal Code Act 1995* (the Criminal Code), made in March 2004, further tasked the Committee with reviewing regulations which specify organisations as terrorist organisations for the purposes of section 102.1 of the Criminal Code. The Committee's findings on its reviews of these regulations are to be tabled before the end of the disallowance period, 15 sitting days from the tabling of the regulation.
- 1.9 Over the period covered by this report, there were no changes to the structure or functions of the Committee.

Report on activities 2012–2013

Inquiries and reviews

- 1.10 During 2012–13, the Committee completed an inquiry into potential reforms to Australia's national security legislation, a review of the administration and expenditure of intelligence agencies for 2010–11, and a review of the relisting of five terrorist organisations.
- 1.11 A full list of reports presented to the Parliament by the Committee during 2012–13 is included at Appendix B. Copies of the Committee's reports, submissions to each inquiry and transcripts of associated public hearings are available on the Committee's website.²
- 1.12 The Committee also commenced its review into the administration and expenditure of intelligence agencies for 2011–12. The review lapsed with the dissolution of the 43rd Parliament on 5 August 2013.

Government responses

- 1.13 During 2012–13, the Committee received Government responses to the following reports:

1 After the period covered in this report, DSD was renamed as the Australian Signals Directorate (ASD) and DIGO was renamed as the Australian Geospatial-Intelligence Organisation (AGO).

2 www.aph.gov.au/pjcis

- Review of the re-listing of Five Terrorist Organisations (response tabled 7 February 2013)
- Review of the re-listing of Hizballah's External Security Organisation (response tabled 7 February 2013)
- Review of the re-listing of Ansar al-Islam, Islamic Movement of Uzbekistan, Jaish-e-Mohammad and Lashkar-e-Jhangvi (response tabled 7 February 2013)

Private briefings

- 1.14 In addition to briefings received in relation to the Committee's inquiry into potential reforms of Australia's national security legislation, the Committee held one private briefing during the reporting period.

Concluding remarks

- 1.15 The Committee notes that many of the national security legislative changes brought forward in 2014 built on the work performed by the Committee in the 43rd Parliament during its 2012-13 work program. The current Committee thanks past and continuing members for their valuable contributions in this area.

Mr Dan Tehan MP

Chair

December 2014

