

Annual report 2013–2014

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 2013 to 30 June 2014.

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 enacted to the structure or functions of the Committee.
- 1.10 However, since 30 June 2014 there have been a number of legislative changes affecting the Committee's oversight and review functions. These changes will be reflected in the Committee's 2014–15 Annual Report.

Report on activities 2013–2014

- 1.11 No Committee activities took place between the final sitting day of the 43rd Parliament on 27 June 2013 and the dissolution of the Parliament on 5 August 2013.
- 1.12 The Committee was re-established and held its first meeting of the 44th Parliament on 12 December 2013.

Inquiries and reviews

- 1.13 During 2013–14, the Committee completed a review of the listing of one terrorist organisation and the re-listing of six terrorist organisations.
 - 1.14 The report's details are listed at Appendix B. Copies of the report and the associated submissions are available on the Committee's website.²
 - 1.15 The Committee also received submissions and held private hearings for its review of the administration and expenditure of intelligence agencies for 2012–13. This review was held concurrently with the review of the
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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

administration and expenditure of intelligence agencies for 2011–12, which was re-initiated by the Committee drawing on evidence received during the 43rd Parliament. The Committee's report on these reviews was presented to the Parliament subsequent to the period covered in this report.

Government responses

- 1.16 No Government responses to Committee reports were received during 2013–14.

Private briefings

- 1.17 The Committee held one site inspection and received a series of private briefings from agencies in the Australian Intelligence Community, the Attorney-General's Department and the Inspector-General of Intelligence and Security.

Concluding remarks

- 1.18 Over the period covered by this report, the Committee focussed on completion of the 2011–12 and 2012–13 review of administration and expenditure for intelligence agencies; and a review of the listing and re-listing of terrorist organisations. These are important oversight functions of the Committee, and the Committee thanks the agencies for their cooperation in the conduct of these reviews.

Mr Dan Tehan MP

Chair

December 2014

