



HUMANE SOCIETY INTERNATIONAL

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Committee Secretary

Parliamentary Joint Committee on Intelligence and Security

PO Box 6021

Parliament House

Canberra ACT 2600

By Email: pjicis@aph.gov.au

15 June 2018

Dear Secretary,

RE SUBMISSIONS IN RELATION TO THE REVIEW OF THE FOREIGN INFLUENCE TRANSPARENCY SCHEME BILL 2017

Humane Society International Australia (HSI) welcomes the opportunity to comment on the Foreign Influence Transparency Scheme Bill 2017 (FITS) amendments. HSI is a registered charity with the Australian Charities and Not-for-profits Commission (ACNC).

HSI seeks to create an ecologically sustainable and humane world for all animals and their environments. Through education, advocacy and empowerment, we seek to forge a comprehensive change in human behaviour, protecting all wildlife and their habitats. We have more than 24 years' experience in Australia promoting the enhancement and protection of all animals and their habitats. We work actively to assist government bodies and agencies to further the protection of animals and the environment through appropriate regulations and enforcement. Advocacy and international co-operation is a critical component in achieving these objectives. Our work is undertaken on behalf of the public at large and the environment, guided by our 70,000 Australian supporters. On behalf these supporters, we make the following submissions in relation to the FITS Bill amendments:

i) The term 'foreign political organisation', used extensively throughout the bill, must be more clearly defined to ensure that international charities and advocacy groups do not fall within its meaning.

ii) Charities, not for profits, and organisations operating in the public interest should be exempt from registration requirements under the bill, much like the exemptions introduced for industry associations and commercial interests.



- iii) Charities should not be restricted in their use of funding for issues-based advocacy, nor should charities face a greater compliance burden than they do at present. They should not be subject to more onerous regulatory controls or vulnerable to more criminal offences than other groups such as industry associations or businesses.
- iv) It should be made more clear that donations received by charities and not-for profits, that are not for the use of political party promotion or opposition will not be subject to the new reporting requirements.
- v) The legislation should make it clearer that only direct principle and agency relationships are within the purview of the legislation. This requires significant amendments to the terminology used in s11, including the terms 'on behalf of', 'at the request of' and 'in service of'. These terms must be narrowed to ensure they are not able to be applied too broadly.
- vi) The Bill requires further clarification in s12 to ensure that the term "political...influence" cannot be read to apply to outcomes, but strictly to mean interference with political processes. This concept of influence should not be applied to the processes of political campaigners.
- vii) We also acknowledge the connection between FITS and the Espionage and Foreign Interference Bill 2017 (EFI). We submit that amendments to EFI are also necessary in light of the proposed FITS amendments.
 - o Espionage offences should not be applicable to operations of the United Nations or public international organisations of any kind.
 - o Peaceful protest should not be considered a threat to national security, and should not validly constitute sabotage offences.

In general, we seek much greater clarification in relation to the operation of both the FTS Bill and the EFI Bill, especially with regards to the impacts that these Bill's will have on the operating activities of not-for-profits and charities. We strongly oppose any chilling of free speech in academic, cultural, community and charitable contexts especially.

HSI has serious concerns in relation to the impact of the FITS Bill in relation to the standard operation of charities and activities that are undertaken in the public interest. Non-government interference in these activities and the ability to partake in free and open discussion (in both a domestic and global context) is integral to democratic process and a free society. We strongly urge that the FITS Bill be narrowed so as not to impose upon such activities.

Please forward any correspondence in relation to these submissions by email [REDACTED]
[REDACTED]

Yours sincerely,

Erica Martin
Chief Executive Officer
Humane Society International