



Australian Government
Attorney-General's Department

9 October 2025

Committee Secretary
Parliamentary Joint Committee on Intelligence and Security
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary

Clarification to Hansard – Hearing on 2 October 2025

I am writing to clarify and expand on evidence I provided to the Parliamentary Joint Committee on Intelligence and Security during the Review of the Strengthening Oversight of the National Intelligence Community Bill 2025 hearing on 2 October 2025.

On pages 11-12 of the transcript, in response to a question from the Deputy Chair, Mr Andrew Wallace MP regarding consultation undertaken on the Bill with the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (DITRDCSA), I indicated that this was in relation to the consequential amendments to the *Telecommunications Act 1997* and amendments to the *Archives Act 1983*. On reviewing the transcript, I consider my answer requires clarification.

The Attorney-General's Department consulted with DITRDCSA in respect to the following:

- the amendments to the *Telecommunications Act* made by Part 2 of Schedule 1 to the Bill, which are consequential to the expansion of the Inspector-General of Intelligence and Security's (IGIS) jurisdiction to all of the Australian Criminal Intelligence Commission (ACIC), and the associated carve out of the ACIC from the Commonwealth Ombudsman's jurisdiction. These consequential amendments will require the chief officer of the ACIC to notify the IGIS, rather than the Ombudsman, when the ACIC has given a technical assistance notice, and to notify communications providers of their right to make a complaint to the IGIS where such a right exists
- the amendments to the *Administrative Review Tribunal Act 2024*, regarding review of decisions made by the National Archives of Australia under the *Archives Act* on access to ACIC criminal intelligence assessment records, made by Schedule 2 to the Bill. These amendments will provide that the review of such decisions can only be heard in the Intelligence and Security jurisdictional area of the Administrative Review Tribunal, which will ensure that sensitive information contained in ACIC criminal intelligence assessment records is subject to appropriate protections, and
- the amendments to the *Independent National Security Legislation Monitor Act 2010* to enable the Monitor to undertake own-motion reviews into a broader range of counter-terrorism or national security legislation than is currently prescribed, including intelligence agency powers under the *Telecommunications Act*, made by Schedule 4 to the Bill. These amendments will address recommendation 64 of the 2024 Independent Intelligence Review

by ensuring the Monitor has the discretion to inquire into the full range of contemporary Commonwealth legislation relevant to counter-terrorism and national security.

I trust this information is of assistance.

Yours sincerely,



Luke Muffett
Assistant Secretary
National Security & Criminal Law Branch