



Communications Committee to quiz ASIC on Section 313

The Australian Securities and Investments Commission (ASIC) says it is critical that it has at its disposal an effective and flexible enforcement toolkit, including the ability to block illegal websites, in the fight against investment frauds.

Tomorrow, the House Standing Committee on Communications will hear evidence from ASIC at its second public hearing for its Inquiry into the use of the *Telecommunications Act 1997* by government agencies to disrupt the operation of illegal online services.

In April 2013, the use of section 313 of the *Telecommunications Act 1997* gained widespread media attention when it was revealed that ASIC, in seeking to block access to sites associated with investment fraud, had accidentally blocked access to 250,000 web sites including the site of the Melbourne Free University. This incident revealed that the use of section 313 required closer scrutiny.

ASIC has since identified the problems it had using section 313, and possible ways for increasing due diligence, transparency and reporting and will present to the Committee tomorrow.

Committee Chairman Jane Prentice said: "The inadvertent blocking of legitimate websites by ASIC under section 313 in early 2013 raised concerns about how and when the disruption of illegal websites should be conducted by government agencies. The need for such powers, given the scale of criminal activities online, is beyond doubt, but their application needs to be subject to appropriate checks and public scrutiny. The Committee will be looking at ways to better manage the use of section 313 as the Inquiry proceeds."

Details of the hearing are as follows:

Date: Wednesday 3 December 2014
Time: 8:00 am
Venue: Committee Room 1R3, Parliament House, Canberra

Further information on the Inquiry, including the full terms of reference and how to prepare a submission can be obtained from the Committee's website at www.aph.gov.au/section313 or from the Secretariat on (02) 6277 2352.

For media comment: please contact the Committee Chairman, (07) 3378 1599 or (02) 6277 4426

Further information: contact the Inquiry Secretary (02) 6277 2352, email ic.reps@aph.gov.au or visit the Committee's webpage at www.aph.gov.au/section313