

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security

Review of Exposure Draft Legislation: Combatting Antisemitism, Hate and
Extremism Bill 2026

13 January 2026

QoN Number: 1

Subject: Consultation with agencies on draft legislation

Asked by: Jonathon Duniam.

Question:

Knowing that there is a separate body of work there, which agencies were consulted, on what date they were consulted on respective parts of the legislation?

Answer:

The Department of Home Affairs conducted ongoing consultation between 19 December 2025 and 11 January 2026 on the Home Affairs-led measures of the Combatting Antisemitism, Hate and Extremism Bill 2026. See table below for detail.

| Measure | Agencies consulted |
|---|--|
| Schedule 1, Part 4: prohibited hate groups (This measure is led by the Attorney-General's Department) | Australian Security Intelligence Organisation and Australian Federal Police |
| Schedule 2, Parts 1 and 2: contains amendments to migration laws | Attorney -General's Department |
| Schedule 2, Parts 3 and 4: contains customs amendments related to hate symbols and extremist material | Department of Infrastructure, Transport, Regional Development, Communications and the Arts and Attorney-General's Department |
| Schedule 4, Part 1: establishes National Gun Buyback Scheme | Department of the Prime Minister & Cabinet, Treasury, Department of Finance and Department of Infrastructure, Transport, Regional Development, Communications and the Arts |
| Schedule 4, Parts 2 and 3: establishes foundations of firearms background checks and enables firearms and other information to be provided to the Australian Criminal Intelligence Commission | Australian Security Intelligence Organisation, Australian Criminal Intelligence Commission, Australian Signals Directorate, Inspector General of Intelligence and Security, Office of National Intelligence, Australian Secret Intelligence Service, Australian Geospatial Organisation, Defence Intelligence Organisation, Australian Federal Police, |

| | |
|---|---|
| | Australian Transaction Reports and Analysis Centre and Attorney-General's Department |
| Schedule 4, Parts 4, 5, 6, and 8: strengthens firearms importation | Australian Federal Police |

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QoN Number: 2

**Subject: Corresponding amendments to AUSTRAC investigation and
disruption powers**

Asked by: Jonathon Duniam

Question:

Are there any corresponding amendments to the AUSTRAC powers to allow them to investigate and disrupt funding to prohibited hate groups like listed terrorist organisations? So it was deemed not necessary to have further amendments because the existing laws would be enlivened because of the Act?

Answer:

No. AUSTRAC already have existing powers and regulatory oversight. For example, if a reporting entity suspects that it holds information relevant to the investigation or prosecution of an offence, the reporting entity must submit a suspicious matter report to AUSTRAC (s41(1)(f)(iii) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*). Subsequently, law enforcement uses these reports and related financial intelligence to track criminals and criminal activity. The financial intelligence generated from suspicious matter reports play a crucial role in identifying potential illegal activity.

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Subject: Firearms - public safety tests

Asked by: Susan McDonald.

Question:

How will the 'public safety tests' for firearms and weapons work in practice and what will the rules entail that determine a risk to the health, safety or security of the public?

Answer:

The new public safety tests for firearms and weapons would enable the Minister for Home Affairs to refuse a Commonwealth import permission application for a firearm or weapon, or related good, where the importation of that item poses a risk to the health, safety or security of the public, or a segment of the public. The Minister would not have any obligation to consider whether to apply the public safety test to the importation of an article.

The Minister must provide in a legislative instrument the list of factors that will be taken into account when applying the public safety test to the importation of an article. While the instrument has not been made, the public safety test could apply for example, to new or emerging firearms not explicitly addressed by the Customs (Prohibited Imports) Regulations 1956. Once made, the legislative instrument will be subject to disallowance in Parliament.

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Subject: Gun Buyback Scheme

Asked by: Susan McDonald .

Question and Answer:

Has the Department done research regarding overseas gun buybacks and if so, what was the outcome of such programs?

- *In developing the National Gun Buyback Scheme (Buyback Scheme) measures, the Department considered previous buybacks in Australia and New Zealand, including:*
 - *the 1996 buyback after Port Arthur massacre*
 - *the 2003 Handgun buyback*
 - *the 2019 New Zealand buyback after the Christchurch attack, and*
 - *Western Australia's recent buyback after placing limits on the number of firearms a person can possess.*
- *In addition, New Zealand is a member of the Firearms and Weapons Policy Working Group (FWPWG). FWPWG is chaired by the Commonwealth and is the national forum to discuss firearms policy with states and territories and New Zealand. In general, the FWPWG meets three times a year and regularly receives updates from members. New Zealand has presented several times on its firearms reforms post-Christchurch, including its buyback.*

Did it reduce the number of illegal weapons?

- *The 1996 Scheme resulted in the surrender of over 640,000 firearms, many of which were semi-automatic rifles and shotguns (restricted through legislative changes) or old, antique and dysfunctional firearms.*
- *The 2003 Handgun Scheme resulted in the surrender of approximately 70,000 handguns and 278,000 handgun parts and accessories (restricted through legislative changes).*
- *The 2019 New Zealand Buyback resulted in the collection and destructions of 61,4417 prohibited firearms.*

- *While still ongoing, as of 19 August 2025, the WA Buyback Scheme has resulted in the surrender of over 61,000 firearms.*

What is the rate of gun related crime in Australia?

The department suggests referring this question to the Australian Institute of Criminology.

Has the department modelled what the reduction of gun related crime will be after this legislation comes into effect?

No. This measure is primarily aimed at facilitating the purchase of surplus firearms, as well as firearms proposed to be restricted under national firearms reforms, to reduce the overall number of firearms in the community.

How was this research used to determine the current buyback scheme proposal?

This research has informed elements of the buyback proposal, with the draft legislation initially informed by the 1996 Buyback legislation. The research has also informed the specific parameters which remain under discussion with states and territories.

Has the Department conducted research into overseas examples of the percentages of violent hate related crime and the weapons used i.e. motor vehicles, guns, knives etc?

No.

What consideration has been given to mitigating car related violence in Australia?

This is outside the context of what was being considered in the Bill.

What consideration has been given to mitigating car related violence in Australia?

As above.

What consideration has been given to mitigating other kinds of violent crime in Australia?

As above.

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Subject: Importation of Firearms – Straight Pull Repeating Firearms

Asked by: Susan McDonald.

Question and Answer:

Schedule 4, Part 5 of the Bill details amendments to the importation of firearms, including that of straight pull repeating firearms. Noting that even after NSW Government firearm changes are implemented, these firearms are legal and still available for primary producers, what will the ramifications for primary producers who legally use these firearms?

Straight pull and assisted repeating action firearms will be restricted import, requiring Commonwealth import permission, similar to semi-automatic firearms. This recognises these firearms allow for faster reloading and firing, and pose a risk to community safety.

For example, NSW primary producers may be able to import these firearms with the appropriate state or territory firearms licence (category C or D), and if they meet one of the required import tests (specified person test) under the Customs (Prohibited Imports) Regulations 1956.

What effect do you believe these changes will have on primary producers?

As set out above, primary producers may import these firearms if they meet the required import tests under the Customs (Prohibited Imports) Regulations 1956.

Will primary producer access to and use of these firearms be in any way practically restricted on farms?

State and territory governments have responsibility for matters relating to licensing, possession, storage and use of firearms.

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Subject: Reforms requested by Agencies

Asked by: Susan McDonald.

Question and Answers:

Since the October 7, 2023 attack in Israel and prior to the December Bondi terror attack, did any of your agencies request reforms that are now within this Bill?

ASIO had raised spent conviction reforms with the Department.

When were these requested?

2024

When were the agencies advised that they would not be adopted by the Government prior to this Bill?

N/A

Had any agencies requested reforms that were not accepted by the Government/Department?

No

Are there any reforms that your agencies have requested that have not been considered in this legislation?

No

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Subject: Schedule 4 - impacts on primary producers

Asked by: Susan McDonald.

Question and Answer:

Has the Department assessed the impact of the reforms in Schedule 4 of the Bill on primary producers, their operations and food production?

As set out above, primary producers will generally be able to meet the specified person test, allowing importation of firearms.

Will the Department detail these impacts?

As above, limited impact is anticipated. Licencing for firearms, storage and use of remain matters for states and territories.

Did the Department consult with the Department of Agriculture and/or the Minister for Agriculture in development of reforms in Schedule 4 of the Bill and what were the details of those consultations?

No.

Did the Department assess the impacts of reforms in Schedule 4 on national and state feral animal abatement strategies and plans and the impact on the effectiveness of mitigating feral pests?

The Department considered vertebrate pest controls standards. Importation of category C & D firearms remains available if persons are wholly or partly in the business of controlling vertebrate pest animals.

Will the Department detail consultation with relevant peak industry bodies, unions and community and legal organisations in drafting the provisions in Schedule 4, including the dates these consultations took place and the format and nature of these consultations?

The Department participated in targeted consultation with community and industry representatives on national firearm reforms.

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QoN Number: 10

Subject: Visa Cancellations and protected attributes

Asked by: Susan McDonald.

Question:

How will the term "racial bigotry" be defined for the purposes of visa cancellation?
Will this power be used against international religious scholars or leaders who hold
conservative views on social issues that overlap with the Bill's "protected attributes"?

Answer:

The term 'racial bigotry' is not used in the Bill. Instead, the five new grounds
proposed in the subparagraphs to section 501(6A) (and replicated in section
500A(1A) and 5C(1A)) set out the specific circumstances where a person involved in
spreading hatred and extremism may have their visa application refused or existing
visa cancelled.

The grounds may apply to any non-citizen seeking to enter, or remain, in Australia
who makes statements or engages in conduct described in these paragraphs.