

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Parliamentary Joint Committee on Intelligence and Security
Review of Declared Areas Provisions

22 September 2020

QoN Number: 02

Subject: Report recommendations

Asked by: The Hon Mark Dreyfus QC MP

Question:

Mr DREYFUS: Can I ask you to take on notice this question: please identify, in respect of each of the matters that the committee listed in its 2018 report at recommendation 3, the aspects of those listed matters which could cause a problem if they were to be publicly disclosed in a statement of reasons and why.

Answer:

The Government's protocol for declaring an area in a foreign country lists non-legislative factors. Some factors may carry more weight in the consideration of an area listing than others – and a lack of information with respect to one or more factors will not preclude an area from being considered for declaration.

Consideration of these factors, or certain aspects of these factors, may also involve sensitive information, the disclosure of which could prejudice national security or foreign relations interests. For example, Australia's bilateral relations with respect to the country in which an area is located may be considered as a factor in determining whether to declare the area, but it may not be appropriate to publicly disclose certain aspects of this factor.

Aspects of factors may cause concern if published in one case, but the same concern may not apply in another. The publication of factors will continue to be considered on a case-by-case basis.