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Mr Andrew Hastie MP, Chair
Parliamentary Joint Committee on Intelligence and Security
Email: pjcis@aph.gov.au

Dear Mr Hastie

Independent National Security Legislation Monitor Review Report on *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018 (Cth)*

The Australian Industry Group (Ai Group) would like to express our support for the recommendations made by the Independent National Security Legislation Monitor (INSLM) on its review of the *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018 (Cth)* (TOLA Act). We note that this report has been tabled with the Australian Parliament and the Parliamentary Joint Committee on Intelligence and Security (PJCIS).

The Act is relevant and of potential concern to a wide range of businesses; not only technology companies, but also manufacturers and industrial solutions providers whose products and services are increasingly networked and digital, and potentially those operating websites and any business and person who uses the internet with access to ubiquitous smartphones and connected devices in the workplace and at home. This means protecting the security of communications and information between businesses and their customers is of fundamental importance across the business community.

Industry and government have a mutual objective to protect Australians from crime such as terrorism, to enforce the law and to enable the intelligence, interception and enforcement agencies to effectively do so in a rapidly evolving digital environment. This requires proper collaboration with industry, having regard to protecting the cyber security and privacy of businesses and our broader community, and strengthening our sovereign capability and global competitive advantage. In this respect, we commend the consultative approach undertaken by the INSLM in its review.

Overall, we endorse the INSLM's recommendations, especially in relation to improved independent oversight, clarification of definitions, and improved transparency and accountability. These are steps in the right direction and would present a more proportionate and balanced approach – protecting our national security while providing appropriate safeguards to protect the cyber security and privacy of businesses and the wider community.

Not all of industry's concerns are addressed in the recommendations, including the breadth of impact of the legislation and lack of understanding of its operation and potential impacts among a wider range of businesses. We would welcome additional discussion on the opportunities to facilitate effective implementation of the legislation including on communication to impacted SMEs.

In the meantime, we encourage the PJCIS and all sides of the Parliament to adopt the INSLM's recommendations.

If you would like clarification about this letter, please do not hesitate to contact me [REDACTED]

Yours sincerely,

[REDACTED]
Peter Burn
Head of Influence and Policy