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**Parliamentary Joint Committee on Intelligence and Security**

**Government's Response to Committee's Recommendations**

*Review into the re-listing of Al-Qa'ida and Jemaah Islamiyah as  
terrorist organisations*

**Tabled 16 October 2006**

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**Recommendation 1:**

The Committee renews its request that the Attorney-General and ASIO incorporate the criteria ASIO has provided for determining which organisations should be listed in future statements of reasons.

**Response:**

The six criteria provided to the Committee by ASIO are internal criteria, used only as a preliminary means of assessing whether an organisation should be considered for possible proscription.

Section 102.1(2) of the *Criminal Code Act 1995* (the Criminal Code) requires that the Attorney-General must be satisfied 'on reasonable grounds that the organisation is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (whether or not the terrorist act has occurred or will occur) or advocates the doing of a terrorist act (whether or not the terrorist act has occurred or will occur)'. The format currently employed for the Statement of Reasons is designed to address the legislative requirement for listing a terrorist organisation.

**Recommendation 2:**

The Committee does not recommend the disallowance of the regulations.

**Response:**

The Government agrees with the recommendation.