

Terms of Reference

- (1) The disposition of the material over which a claim of privilege has been made by Senator Pratt, namely, the material delivered to the Clerk of the Senate on 11 October 2018 by the Australian Federal Police (AFP) following the execution of search warrants on that day, and other copies of the same material.
- (2) In carrying out its inquiry, the committee shall have regard to the law of parliamentary privilege, and the powers and practices of the Commonwealth Houses.
- (3) The committee shall be provided by the AFP with a list and a description of the seized material but the list and description to be provided by the AFP must not contain any information that could identify any person subject to investigation by the AFP in connection with the execution of the search warrants referred to in paragraph (1).
- (4) The committee shall provide to affected parties the opportunity to make submissions on the claim of parliamentary privilege and may seek submissions on the application of the law of parliamentary privilege.
- (5) If the committee is able to determine the matter without examining the material, it shall report accordingly to the Senate, making recommendations for the disposition of the material.
- (6) If the committee is unable to determine the matter without an examination of the material, it may:
 - (a) with the approval of the President, appoint an appropriate person to examine the material and report to it on the claim of parliamentary privilege, or
 - (b) examine the material itself.
- (7) The material shall remain in the custody of the Clerk at all times until its disposition is determined by the Senate, except that the Clerk may provide access for the committee, or for a person appointed by the committee, to examine the material in accordance with paragraph (6).

