

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE
Budget Estimates Hearing October 2015
Prime Minister and Cabinet Portfolio

Department/Agency:	Office of the Inspector-General of Intelligence and Security
Outcome/Program:	Outcome 1
Topic:	Privacy breaches
Senator:	Xenophon
Question reference number:	226
Type of question:	Written
Date set by the committee for the return of answer:	4 December 2015
Number of pages:	1
Question:	

I refer to a recent article in the Australian and information contained in the IGIS 2014-15 Annual Report which found Australian spies have shared intelligence with foreign officials at least seven times without complying with privacy laws and in breach of government policies.

In a case October 2014 intelligence information was provided to a foreign liaison in breach of the Intelligence Services Act, without internal agency approval and without ministerial authorisation.

While I note the high risk and sensitive activities of ASIS, can IGIS disclose any general information about why the intelligence is shared?

Answer:

ASIS shares intelligence for the purposes of its functions set out in the *Intelligence Services Act 2001* (ISA), and in accordance with the limits on functions and activities set out in sections 11, 12 and 13 of that Act. In particular, any sharing of intelligence information can be undertake only in the interests of Australia's national security, Australia's foreign relations or Australia's national economic well-being, and only to the extent that those matters are affected by the capabilities, intentions or activities of people or organisations outside Australia (in accordance with subsection 11(1) of the ISA).