

**Human Rights and
Equal Opportunity Commission**

Legal Section

12 April 2005

Mr Owen Walsh
Secretary
Legal and Constitutional Committee
Australian Senate
Parliament House
CANBERRA ACT 2600

Dear Sir

Re: Inquiry into the National Security Legislation Amendment Bill 2005

I refer to the Commission's submission to the above inquiry, dated 4 April 2005.

Upon reviewing that submission, we discovered an error in the final dot-point in paragraph 11. We had there intended to make reference to the provisions of the *Passports Act 1938* (Cth) dealing with refusal or cancellation of an Australian passport upon certain security related grounds. Instead, we inadvertently referred to the provisions regarding surrender of foreign travel documents (in s16 of that Act).

The text (with footnotes) should have read as follows:

- Proceedings relating to a decision to refuse to issue or to cancel a passport on security grounds.¹ Those proceedings might provide a remedy for a violation of the right to leave one's own country.²

We apologise to the Committee for this error.

We would be happy to provide an amended submission if it will assist. Alternatively, we would be very grateful if you could draw this letter to the attention of the Committee.

Yours sincerely

Craig Lenehan
Deputy Director Legal Services

¹ See ss7,7(E) and 8 *Passports Act 1938* (Cth).

² Article 12(2) of the ICCPR.