



Australian Government

Australian Government Response to the
Parliamentary Joint Committee on Intelligence and Security Report:

Advisory Report on the Australian Security Intelligence Organisation Amendment Bill 2023

SEPTEMBER 2023

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The Government thanks the Parliamentary Joint Committee on Intelligence and Security ('Committee') for its review of the Australian Security Intelligence Organisation ('ASIO') Amendment Bill 2023 ('the Bill').

The Government provides the following responses to the Committee's recommendations

Recommendations

Recommendation 1

The Committee recommends that the Explanatory Memorandum for the Australian Security Intelligence Organisation Amendment Bill 2023 be amended or a supplementary Explanatory Memorandum presented specifying that notwithstanding the Bill's authority to delegate functions and powers to ASIO affiliates, human sources or agents will not be used to undertake security vetting.

The Government accepts the Committee's recommendation.

Amendment to the Bill's Explanatory Memorandum

The Government prepared and presented to the House a replacement Explanatory Memorandum for the Bill that implemented Recommendation 1. The replacement Explanatory Memorandum specified that notwithstanding the Bill's authority to delegate functions and powers to ASIO affiliates, ASIO's human sources or agents will not be involved in the undertaking of security vetting.

A copy of the replacement Explanatory Memorandum is attached.

Recommendation 2

The Committee recommends that following implementation of the recommendation in this report, the Australian Security Intelligence Organisation Amendment Bill 2023 be passed by Parliament.

The Government accepts the Committee's recommendation. The Bill passed both Houses of Parliament on 22 June 2023 and received royal assent on 28 June 2023. The *Australian Security Intelligence Organisation Amendment Act 2023* commenced on 1 July 2023.