



Australian Government
Attorney-General's Department

18/340-02

09 March 2018

Lyn Beverley
Committee Secretary
Senate Foreign Affairs, Defence and Trade Legislation Committee

By email: FADT.SEN@aph.gov.au

Dear Ms Beverley

Intelligence Services Amendment (Establishment of the Australian Signals Directorate) Bill 2018—submission from the Attorney-General's Department

The Attorney-General's Department welcomes the opportunity to provide the Senate Foreign Affairs, Defence and Trade Legislation Committee (Committee) its submission on the Intelligence Services Amendment (Establishment of the Australian Signals Directorate) Bill 2018 (the Bill).

The Bill contains amendments that will enable CERT Australia and its functions, which are currently within the Attorney-General's Department (AGD), to be fully integrated into the Australian Cyber Security Centre (ACSC) within the Australian Signals Directorate (ASD). CERT Australia was established in 2010 in AGD as the primary government contact point for major Australian businesses impacted by cyber security incidents. Since 2012, CERT Australia has been a partner in the ACSC. Subject to the passage of the Bill, CERT Australia will transfer from AGD to the ACSC within ASD in July 2018.

CERT Australia is particularly focused on providing assistance and advice to owners and operators of Australia's critical infrastructure and other systems of national interest. CERT Australia also works with foreign CERTs (or their equivalents) to build capability and share information on malicious cyber threats. These global networks are of critical importance in combatting global cyber threats. CERT Australia's national and international partnerships make an important contribution to the ACSC's ability to respond to cyber incidents and assist domestic industry partners to take proactive cyber security measures, playing a crucial role in improving Australia's cyber security posture.

The Attorney-General's Department supports the proposed amendments to the *Intelligence Services Act 2001* (IS Act) and the *Australian Communications and Media Authority Act 2005* (ACMA Act) to ensure CERT Australia's functions can continue to be undertaken once it is integrated into ASD. The insertion of proposed paragraphs 7(1)(ca) and 7(2) into the IS Act will enable the functions of a national CERT to be undertaken by the ACSC within ASD, including assistance to and collaboration with various domestic and foreign partners to mitigate and respond to cyber security incidents. The amendment to the ACMA Act will ensure that ACMA information continues to be available to support the performance of CERT Australia's functions after CERT Australia transfers to

ASD. These changes are consistent with the recommendations of the Independent Intelligence Review (2017).

Yours sincerely

Sarah Chidgey
Acting Deputy Secretary
Criminal Justice and National Security