



2 March 2018

Mr Timothy Watling
Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
CANBERRA ACT 2600

Dear Mr Watling

Clarification to Proof Hansard

I write to you concerning evidence that I provided to the Senate Standing Committee on Legal and Constitutional Affairs during the Additional Estimates hearing on 27 February 2018. I provided this evidence in my capacity as Acting Deputy Secretary of the Criminal Justice and National Security Group of the Attorney-General's Department.

On pages 96-97 of the proof Hansard, in an exchange between myself and Senator Pratt, I stated:

Ms Chidgey: Thirty-three acts in addition to the four that are in the home affairs bill, and they're straightforward consequential amendments that are mostly just adjusting the references to ministers.

Senator PRATT: In terms of his statement that there were 37 acts, which four acts don't require amendments?

Ms Chidgey: Thirty-seven—it's the four in the home affairs bill plus another 33; that gives you 37.

Senator PRATT: So you're clear that it's 33. Mr McKinnon said 'about 33'. Are we clear that that is the exact number of acts? Who else has done the audit of that?

Ms Chidgey: Yes, and we—

Senator PRATT: Are you relying on him, when he said 'about 33', or has someone else done that audit?

Ms Chidgey: We've been working with the Department of the Prime Minister and Cabinet, the home affairs department and the Office of Parliamentary Counsel to identify all the acts that require amendment.

Senator PRATT: You've been working with whom? The National Security Division in the Department of the Prime Minister and Cabinet?

Ms Chidgey: The Department of the Prime Minister and Cabinet and the Department of Home Affairs.

Senator PRATT: They said it was about 37 acts, so you—in terms of your own work, in terms of surrendering your responsibilities to them—are very confident that this parliament will have before it the legislative changes for every one of those transfers of responsibility?

Ms Chidgey: Yes—that we're looking at legislative amendments to 37 acts in total.

I would like to clarify that while there are four acts being amended by the Home Affairs and Integrity Agencies Legislation Amendment Bill 2017 and that the Government currently proposes to make additional amendments to 33 acts, the total number of acts that would then be amended is 36. This is because one of the four acts being amended by the Home Affairs Bill, the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, is also included in the number of acts to which the additional amendments would be made.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'S Chidgey', written in black ink on a white background.

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