



PARLIAMENTARY JOINT COMMITTEE ON INTELLIGENCE AND SECURITY

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Intelligence Committee to review important national security legislation

The Parliamentary Joint Committee on Intelligence and Security has commenced three statutory reviews on:

- the mandatory data retention scheme;
- the amendments made by the *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018*; and
- the Australian citizenship renunciation by conduct cessation provisions.

Committee Chair, Mr Andrew Hastie MP noted that the full terms of reference for each review are available on the Committee's [website](#) alongside information about making a submission.

"We've adopted these inquiries prior to the election in order to maximise stakeholders opportunity to engage with these important areas of legislation," Mr Hastie said.

"Submissions are requested until 1 July 2019 for consideration during the 46th Parliament by the re-established Intelligence and Security Committee, which will carry these reviews to their conclusion.

"Community and industry input into reviews like this is critical as it enables the Committee to ensure legislation is keeping pace with community expectations regarding appropriate decision making and oversight.

Review of the mandatory data retention regime

The mandatory data retention regime is a legislative framework which requires carriers, carriage service providers and internet service providers to retain a defined set of telecommunications data for two years, ensuring that such data remains available for law enforcement and national security investigations.

The Committee will consider the ongoing effectiveness of the scheme, taking into account changes in the use of technology since it was introduced. It will also reassess the appropriateness of the dataset and the retention period, security requirements in relation to data stored under the regime, and oversight of the regime.

Review of the amendments made by the *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018*

The *Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018* (commonly known as the Assistance and Access Act) amended a range of Commonwealth legislation



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to empower law enforcement and national security agencies to request, or compel, telecommunications providers to assist them to deal with the challenges of ubiquitous encryption.

The Committee's review will focus on matters raised by stakeholders during a 2018 review of the preceding Bill, including the threshold, scope and proportionality of agencies' powers to seek technical assistance from industry, the authorisation process and decision-making criteria, and the impact on the Australian technology industry.

Review of the Australian Citizenship Act renunciation by conduct and cessation provisions

The *Australian Citizenship Act 2007* provides that any dual national citizen of Australia can automatically lose their Australian citizenship if they engage in terrorism-related conduct which repudiates their allegiance to Australia. Additionally the Minister may determine that a dual national citizen of Australia's citizenship has ceased if they have been convicted of a number of offences including terrorism offences.

The Committee will consider the process around renunciation by conduct or cessation, including the operation of the Citizenship Loss Board. It will also review how these measures respond to the threat environment and any unintended consequences flowing from the renunciation by conduct or cessation of Australian citizenship.

Further information on each review is available on the Committee's website: www.aph.gov.au/pjcis.

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