



Review of the listing and re-listing of six organisations as terrorist organisations under the Criminal Code

Department of Home Affairs responses to Questions on Notice.

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**HOME AFFAIRS PORTFOLIO
DEPARTMENT HOME AFFAIRS**

PARLIAMENTARY INQUIRY QUESTION TAKEN ON NOTICE:

Parliamentary Joint Committee on Intelligence and Security - Review of the listing and re-listing of six organisations as terrorist organisations under the Criminal Code

31 July 2019

QoN Number: 001

National Security Website

Asked: *Senator the Hon Kristina Keneally*

Senator KENEALLY: We might pursue that more in the closed hearing portion then.

Thank you. This next one goes not so much to the groups; it is simply a housekeeping question. I note that the Australian National Security website still cites the Attorney-General as the person who lists terrorist organisations.

Mr Deane: I did notice that.

Senator KENEALLY: In fact, it cites him, I think, 32 times. And that is incorrect, isn't it?

Mr Deane: Yes.

Senator KENEALLY: Do we know when that will be—

Mr Deane: I don't, but we can definitely follow that up.

Dr Bopping: To update on that: that's in the process of being updated as we speak.

Senator KENEALLY: And this is another process question. I also note that we are advised regarding the delisting of a particular organisation. Jamiat ul-Ansar has been delisted, but they are still on the website as being listed. Is there a process by which that happens?

Dr Bopping: That website will be updated accordingly.

Senator KENEALLY: When does that happen in the normal course of events? Is there a process for how that happens?

Dr Bopping: I'll take that on notice. I would imagine that the process is that it is updated immediately upon delisting of the organisation.

Answer:

Updates to the Department of Home Affairs' external websites, including the National Security website, are made at the earliest available opportunity. Updates to terrorist organisation listings are underway and will be reflected on the public website.

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PARLIAMENTARY INQUIRY QUESTION TAKEN ON NOTICE:

Parliamentary Joint Committee on Intelligence and Security - Review of the listing and re-listing of six organisations as terrorist organisations under the Criminal Code

31 July 2019

QoN Number: 002

Expiry of Intergovernmental Agreement on Counter-Terrorism Laws

Asked: *Senator the Hon Eric Abetz*

Senator ABETZ: There's an organisation known as the Intergovernmental Agreement on Counter-Terrorism Laws; we have that. When does that expire?
Dr Bopping: I may have to take that on notice.

Answer:

The 2004 Intergovernmental Agreement on Counter-Terrorism Laws has no expiration date.

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PARLIAMENTARY INQUIRY QUESTION TAKEN ON NOTICE:

Parliamentary Joint Committee on Intelligence and Security - Review of the listing and re-listing of six organisations as terrorist organisations under the Criminal Code

31 July 2019

QoN Number: 003

State and Territory Responses

Asked: *Senator the Hon Eric Abetz*

Senator ABETZ: Okay, take that on notice. Under that, we have this group of first ministers that we consult. Did they respond in relation to these?

Dr Bopping: Yes, they did. With respect to the organisations that we're talking about here today, the Minister consulted with state and territory first ministers on 14 March. On 2 April we received responses from Tasmania, Victoria and Western Australia advising no objections to these listings, on 3 April we received similar responses from the ACT and New South Wales. So yes, our consultation with first ministers and their departments was undertaken.

Senator ABETZ: What's the process in the event that a state or territory doesn't respond?

Dr Bopping: In the case of these listings, what's required is a majority of states and territories. In the event that a jurisdiction fails to respond, the first thing we do is follow up with that jurisdiction.

Senator ABETZ: Has that ever happened, where you haven't had a majority?

Dr Bopping: Not to my knowledge. I'll take that on notice and look further back to determine whether that's the case, but not in my experience.

Answer:

Majority agreement from States and Territories has always been obtained when sought by the Commonwealth to list or re-list an organisation as a terrorist organisation under the *Criminal Code Act 1995*.