



Australian Government

Australian Government response to the
House of Representatives Standing
Committee on Infrastructure and
Communications' report:

*Balancing Freedom and Protection – Inquiry into the use of
subsection 313(3) of the Telecommunications Act 1997 by
government agencies to disrupt the operation of illegal online
services*

Recommendation	Government response
<p>Recommendation One</p> <p>The Committee recommends to the Australian Government the adoption of whole-of-government guidelines for the use of section 313 of the <i>Telecommunications Act 1997</i> by government agencies to disrupt the operation of illegal online services, as proposed by the Department of Communications, including:</p> <ul style="list-style-type: none"> • the development of agency-specific internal policies consistent with the guidelines; • clearly defined authorisations at a senior level; • defining activities subject to disruption; • industry and stakeholder consultation; • use of stop pages, including: <ul style="list-style-type: none"> - agency requesting the block; - reason for block; - agency contact; and - avenue for review. • public announcements, where appropriate; • review and appeal processes; and • reporting arrangements. 	<p>Supported</p> <p>The Australian Government will release whole-of-government guidelines for the use of section 313 of the <i>Telecommunications Act 1997</i> by government agencies to disrupt the operation of illegal online services.</p> <p>The guidelines will include measures to improve transparency and accountability, including minimum requirements and recommended procedures for agencies to follow.</p> <p>The guidelines will be developed by the Department of Communications and the Arts in consultation with relevant stakeholders, including government agencies and the telecommunications industry.</p>
<p>Recommendation Two</p> <p>The Committee recommends to the Australian Government that all agencies using section 313 of the <i>Telecommunications Act 1997</i>, to disrupt the operation of illegal online services have the requisite level of technical expertise within the agency to carry out such activity, or established procedures for drawing on the expertise of other agencies.</p>	<p>Supported</p> <p>The whole-of-government guidelines will include a requirement for agencies to have the requisite level of technical expertise, or established procedures for drawing on such expertise, as recommended by the Committee.</p>