



Australian Government
Department of Home Affairs



Department of Home Affairs submission to the Inquiry into the Review of the Crimes and Other Legislation Amendment (Omnibus No. 1) Bill 2024

**Parliamentary Joint Committee on Intelligence and
Security**

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The Department of Home Affairs (the Department) welcomes the opportunity to provide a submission to the Parliamentary Joint Committee on Intelligence and Security's Inquiry into the Review of the Crimes and Other Legislation Amendment (Omnibus No. 1) Bill 2024. The Department of Home Affairs has one substantive matter of interest in Schedule 4 of the Bill that would significantly simplify its telecommunications security functions.

Schedule 4 – Communications Access Coordinator and Communications Security Coordinator

The Department supports the creation of the Communications Security Coordinator to streamline the workflow of the Telecommunications Sector Security Reforms under Part 14 of the *Telecommunications Act 1997* (Telecommunications Act). Under section 314B of the Telecommunications Act, the Communications Access Coordinator is responsible for responding to notifications of security risk made to the Department by carriers and carriage service providers.

Notifications are assessed by the Cyber and Infrastructure Security Centre in the Department. However, due to machinery of government changes in 2022, the Office of the Communications Access Coordinator moved from the Department to the Attorney General's Department (AGD).

The inclusion of the additional administrative step of sending notifications to the AGD for clearance results in unnecessary increased burden for both departments. The imposed burden has reduced the time available for assessments conducted by the Department as it demands an extended period for clearance procedures. Given the significant national security function served by the notification obligation, the unnecessary administrative complexity of current arrangements poses direct national security risks and imposes unnecessary bureaucracy on agencies.

An action of the *2023-2030 Australian Cyber Security Strategy* the Government has made its policy position clear to move telecommunications security regulation from the Telecommunications Act to the *Security of Critical Infrastructure Act 2018* (SOCI Act). Should Parliament pass such a law, the role of the Communications Security Coordinator would be transitioned to and aligned with SOCI Act. The Department will remain engaged with the Attorney General's Department to ensure alignment between the reforms.

Finally, it is worth noting that both the Communications Security Coordinator and the Communications Access Coordinator are legislative coordination functions that ensure the operation of functions under respective telecommunications legislation as opposed to national or Commonwealth level coordination functions.