

From the Office of the Commissioner

Our ref: CD/14/5260

17 February 2014

Ms Sophie Dunstone
Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

Also via email: legcon.sen@aph.gov.au

Dear Ms Dunstone

Inquiry into comprehensive revision of the *Telecommunications (Interception and Access) Act 1979*

Thank you for your letter dated 17 December 2013 inviting the Independent Broad-based Anti-corruption Commission (IBAC) to make a submission to parliamentary inquiry on the comprehensive revision of the *Telecommunications (Interception and Access) Act 1979 (the TIA Act)*.

I note that the terms of reference relate to comprehensive revision of the TIA Act with regard to:

- (a) the Australian Law Reform Commission report *For Your Information: Australian Privacy Law and Practice* (May 2008) and in particular on recommendation 71.2 (**ALRC Report**); and
- (b) recommendations relating to the TIA Act from the Parliamentary Joint Committee on Intelligence and Security *Inquiry into the potential reforms of Australia's National Security Legislation* report (May 2013) (**PJC-IS Report**).

IBAC is not in a position to make a detailed submission in response to the terms of reference at this time.

I refer to the submissions made in my letter addressed to Mr Tim Bryant (Acting Committee Secretary) of 11 July 2013 – copy enclosed. Those submissions related to the proposed Telecommunications Amendment (Get a Warrant) Bill 2013. As far as they are relevant to the Committee's current inquiry, the matters referred to in my previous correspondence are confirmed.

While IBAC is not in a position to provide a further submission at this time, I would welcome the opportunity to respond to particular issues about the Act's operation which the Committee may care to raise in the course of the inquiry.

The contact officer for this matter is Ms Joanna Austin, Senior Lawyer

~~Yours sincerely~~

Stephen O'Bryan S.C
Commissioner