

Department/Agency: Office of the Inspector-General of Intelligence and Security

Outcome/Program: Outcome 1

Topic: T(IA) Act 1979

Senator: Ludlam

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Question: I have a question about the annual report and the T(IA) Act 1979. I do not know if this is something you can help us with or if I should put this to the Attorney's department, because I believe another iteration of the annual report is probably due any day or any week now. When we are listing a record of the agencies that surveill Australians, ASIO is not required to report. It does not have reporting obligations under the T(IA) Act. Do you know and can you tell us what other agencies conduct surveillance activities on Australian citizens that do not have reporting obligations under that act?

Dr Thom: To my knowledge, ASIO is the only agency that has exemption from that reporting regime.

Ludlam; Knowing that I just ambushed you with that one, could you just check to ensure and provide us with any additional info on notice?

Answer:

My answer is restricted to the agencies that I oversight. Defence Signals Directorate, Defence Imagery and Geospatial Organisation and the Australian Secret Intelligence Service do not intercept telecommunications under the T(IA) Act 1979, but these agencies can seek authorisation under s 9 of the *Intelligence Service Act 2001* to produce intelligence on an Australian person if certain conditions are satisfied. As these activities are not conducted under the T(IA) Act they are not reported under that Act.