

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 14

Senator Ronaldson asked the following question at the hearing on 12 February 2013:

Senator RONALDSON: Thank you. And when the legislation went through last year, that did include drug and alcohol testing, didn't it?

Mr Pezzullo: Yes.

Senator RONALDSON: And what other matters?

Mr Pezzullo: Four principal measures. First is the power for the CEO to institute, subject to regulations which have now been passed, a drug and alcohol testing regime. Second is a power for the CEO to declare that an officer's conduct has been such that it meets the test in the legislation of 'serious misconduct' and they are terminated accordingly. Three is the allowance for the introduction of what is known as integrity testing of Customs and Border Protection officers—it also did so for a number of other agencies, but they can speak for themselves. Fourth, it also created a statutory requirement for what is known as the 'mandatory reporting' of serious misconduct.

Senator RONALDSON: Indeed, that was in these memos, going back to 2007: mandatory reporting, drug and alcohol testing. When was the legislation introduced?

Mr Pezzullo: I will have to take that on notice. It was some time in the middle of last year.

The answer to the honourable senator's question is as follows:

The Law Enforcement Integrity Legislation Amendment Bill 2012 was introduced into the House of Representatives by the Hon Jason Clare, Minister for Home Affairs and Justice on 19 September 2012 and subsequently passed by both houses of Parliament. The Bill received Royal Assent on 12 December 2012.