



Dr James Renwick SC  
Independent National Security Legislation Monitor  
1 National Circuit  
Barton ACT 2600

Dear Dr Renwick SC,

**REVIEW AND REPORT OF THE TELECOMMUNICATIONS AND OTHER LEGISLATION  
AMENDMENT (ASSISTANCE AND ACCESS) ACT 2018**

Under section 7A of the *Independent National Security Legislation Monitor Act 2010* (INSLM Act) and paragraph 29(1)(b)(ii) of the *Intelligence Services Act 2001*, on behalf of the Parliamentary Joint Committee on Intelligence and Security, I refer the following matter to you for review and report by 1 March 2020:

*A review of the operation, effectiveness and implications of amendments made by the Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018.*

The enclosed reference sets out the precise terms of the referral.

To the extent possible, the Committee requests that a review is conducted in public and an unclassified report is produced to assist the Committee with its own review of the same Act due in April 2020.

The Committee is of the view that this referral will satisfy the current obligation under subsection 6(1D) of the *Independent National Security Legislation Monitor Act 2010*.

I note that the INSLM Act is silent on a reporting process for a review conducted on a matter referred by the Committee under section 7A of the INSLM Act, as opposed to a matter referred by the Prime Minister or the Attorney-General under section 7 of the INSLM Act. In the absence to requirements to the contrary, it is the expectation of the Committee that a report will be provided in the first instance to the Committee, as the referring authority.

Recognising that this will be a matter for the Committee formed in the 46<sup>th</sup> Parliament, it is the expectation of the current members that, as a matter of courtesy, the Committee would provide a copy of the embargoed report to the Prime Minister prior to its public release.

I have also written to the Prime Minister and the Attorney-General to notify them of the Committee's referral.

Thank you again for your ongoing valuable work, and the Committee looks forward to receiving your report on this matter. If you require further information, please contact Ms Susan Cardell, Committee Secretary, on 6277 4588.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A Hastie', enclosed within a blue oval. A long horizontal line extends from the right side of the oval.

Mr Andrew Hastie MP  
Chair

26 March 2019





**Reference under section 7A of the *Independent National Security Legislation  
Monitor Act 2010***

To: Dr James Renwick SC, Independent National Security Legislation Monitor

I, Mr Andrew Hastie MP, Chair of the Parliamentary Joint Committee on Intelligence and Security, under section 7A of the *Independent National Security Legislation Monitor Act 2010* and paragraph 29(1)(b)(ii) of the *Intelligence Services Act 2001*, and on behalf of the Committee, refer to you the following matter relating to national security and counter-terrorism:

*the operation, effectiveness and implementation of amendments made by the Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018 and whether that Act:*

- (i) contains appropriate safeguards for protecting the rights of individuals;*
- and*
- (ii) remains proportionate to any threat of terrorism or threat to national security, or both; and*
- (iii) remains necessary.*

I request that you provide your report on this matter to the Parliamentary Joint Committee on Intelligence and Security by 1 March 2020.

Dated: 26 March 2019

Mr Andrew Hastie MP

Chair, Parliamentary Joint Committee on Intelligence and Security