

Senate Foreign Affairs, Defence and Trade Legislation Committee
Answers to Questions On Notice
Department of Foreign Affairs and Trade
Budget Estimates 2002 – 2003; June 2002

Question 2

Outcome 1, output 1.1.2

Topic: Visit by Minister for Immigration and Multicultural and Indigenous Affairs to Indonesia

Hansard page 368

Senator Faulkner asked:

Can the department provide details of the programs, appointments and itineraries of the visits to Jakarta by the Minister for Immigration and Multicultural and Indigenous Affairs in June and August 2001?

Answer:

The department has nothing to add to the answer given by the Department of Immigration and Multicultural and Indigenous Affairs to the same question.

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Question 19

Outcome 1, output 1.1.8

Topic: Intelligence Services Act

Hansard page 371

Senator Faulkner asked:

- (1) Would the Minister advise if the capacity for his direction, provided for under sections 6(1)(e) and 6(2) of the Intelligence Services Act (Act No. 152 of 2001), has been utilised since it was enacted?
- (2) Under the Act, have any directions been issued in relation to countering people-smuggling activities and, if so, what are they?

Answer:

As you are aware, it has been the policy of successive Australian Governments not to discuss matters concerning intelligence collection agencies, such as ASIS, in an open forum. It should be noted, however, that Section 6A of the *Intelligence Services Act 2001* requires that:

If the responsible Minister gives a direction under paragraph 6(1)(e), the Minister must as soon as practicable advise the Committee of the nature of the activity or activities to be undertaken.

In line with section 6A, in the event that a direction was issued to ASIS the Minister would have advised the Parliamentary Joint Committee on ASIO, ASIS and DSD accordingly.

It should also be noted that the Minister is required to provide a copy of any direction issued under section 6(1)(e) of the *Intelligence Services Act 2001* to the Inspector-General of Intelligence and Security. This is a requirement under section 32B of the *Inspector-General of Intelligence and Security Act 1986*, which is highlighted in the *Intelligence Services Act 2001* in a note preceding section 6A. In the event that a direction was issued to ASIS, the Minister would also have complied with this legislative requirement.