



PARLIAMENT of AUSTRALIA

Submission No. 2 - Australian Privacy Charter Council

[Parliamentary Joint Committee on the Australian Security Intelligence Organisation](#)

[Review of the Australian Security Intelligence Organization Legislation Amendment Bill 1999 Submissions](#)

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THE AUSTRALIAN PRIVACY CHARTER COUNCIL

Convenor : Nigel Waters

Secretary : Tim Dixon

School of Law, University of NSW
Sydney NSW 2052
Phone 02 9810 8013

E-Mail: watersn@zip.com.au

The Secretary

Parliamentary Joint Committee on ASIO
Parliament House
CANBERRA ACT 2600
21 April 1999

Dear Secretary

Review of the Australian Security Intelligence Organization Legislation Amendment Bill 1999

The Australian Privacy Charter Council would like to make a submission to the Committee's current review of the Australian Security Intelligence Organization Legislation Amendment Bill 1999. Unfortunately, we have been unable to complete our consideration of the Bill in the short time allowed for submissions since the review was announced. While we have been aware of the Bill since it was introduced, our ability to assess its implications was handicapped by the delay in making the explanatory memorandum available on the Internet. I have already drawn this unusual omission to the attention of the Senate Scrutiny of Bills Committee. We sincerely hope that the delay was not influenced by the subject matter of the legislation.

The Australian Privacy Charter Council exists to promote the Charter Principles, which are a statement of best practice for the protection of privacy, including the fair handling of personal information, and minimisation of the level of surveillance of Australians in their day to day activities.

While we appreciate the sensitivity of any inquiry or review involving national security and intelligence matters, this sensitivity makes it all the more important that there is a careful consideration of any changes in the parameters of ASIO's activities.

The Charter Council is particularly concerned about any extension of ASIO's ability to intrude into the personal affairs of Australians, especially if they have given no 'cause' for investigation. We are also concerned that there should be no diminution, and if possible an increase, in the level of accountability, scrutiny and safeguards applying to ASIO.

We note that although ASIO is exempt from the Privacy Act 1988, it is subject to guidelines for the conduct of its activities which are based on the Information Privacy Principles of that Act, compliance with which is monitored by the Inspector General of Intelligence and Security.

We request the opportunity to put considered views to the Committee after the 23 April, and to appear before the Committee if it decides to hold public hearings. We will endeavour to make a written submission as soon as possible. We note the Committee's timetable, but have difficulty in understanding how these changes can be required so urgently as to necessitate such an abbreviated period of consultation and consideration.

Yours sincerely

Nigel Waters

Convenor

A copy of this submission is also available from the [Committee Secretariat](#).

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