Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002 [No. 2]

(Amendments to be moved by Senator Faulkner on behalf of the Opposition in committee of the whole)

(1) Schedule 1, item 24, page 10 (line 23), omit “168”, substitute “72”. [period of detention]

(2) Schedule 1, item 24, page 12 (line 21), omit “168”, substitute “72”. [period of detention]

(3) Schedule 1, item 24, page 16 (line 22), omit “168”, substitute “72”. [period of detention]

(4) Schedule 1, item 24, page 18 (lines 13 and 14), omit the note. [onus of proof]

(5) Schedule 1, item 24, page 18 (lines 30 and 31), omit the note. [onus of proof]

(6) Schedule 1, item 24, page 19 (after line 17), at the end of section 34G, add:

(10) A person who is or has been before a prescribed authority for questioning under warrant may not disclose any information about the questioning or the production of records or things unless authorised to do so in writing by the prescribed authority.

Penalty: Imprisonment for 5 years.

(11) Subsection (10) does not apply to contact between the person and the Inspector-General of Intelligence and Security or the Ombudsman under:

(a) sections 10 and 13 of the Inspector-General of Intelligence and Security Act 1986; or
(b) section 22 of the Complaints (Australian Federal Police) Act 1981; as the case may be.
(Amendment to Government Amendment [Sheet RA231])

(7) Government amendment (45), subsection 34TA(2), after “satisfied”, insert “, on the basis of circumstances relating to that lawyer,”.

(8) Government amendment (45), paragraph 34TA(2)(a), after “may”, insert “, as a real possibility,”.

(9) Government amendment (45), paragraph 34TA(2)(b), after “may” (second occurring), insert “, as a real possibility,”.