Foreign Passports (Law Enforcement and Security) Determination 2015

I, Julie Bishop, Minister for Foreign Affairs, make the following determination.

Dated 22 July 2015

Julie Bishop
Minister for Foreign Affairs
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### Schedule 1—Repeals

*Foreign Passports Determination 2005*

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1 Name

This is the Foreign Passports (Law Enforcement and Security) Determination 2015.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

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<td>1. The whole of this instrument</td>
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</table>

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the Foreign Passports (Law Enforcement and Security) Act 2005.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including ASIO.

In this instrument:


6 Competent authorities—Australian law enforcement matters

For paragraph (b) of the definition of competent authority in subsection 13(2) of the Act, the following persons are specified as competent authorities in relation to the circumstances mentioned in paragraphs 13(1)(a) and (b) of the Act:

(a) the Attorney-General;
(b) the Secretary of the Attorney-General’s Department;
Section 7

(c) SES employees in the Attorney-General’s Department.

7 Competent authorities—international law enforcement cooperation

(1) For paragraph (b) of the definition of *competent authority* in subsection 14(2) of the Act, the following persons are specified as competent authorities in relation to the circumstances mentioned in paragraphs 14(1)(a) and (b) of the Act:
   (a) the Secretary of the Attorney-General’s Department;
   (b) SES employees in the Attorney-General’s Department.

(2) For paragraph (c) of the definition of *competent authority* in subsection 14(2) of the Act, the Australian Federal Police is specified as a competent authority in relation to the circumstances mentioned in paragraphs 14(1)(a) and (b) of the Act.

8 Reasons relating to potential for harmful conduct

For subparagraph 15(1)(a)(v) of the Act, the offences mentioned in subsections 13(1) and (2) of the *Australian Passports Determination 2015* are specified.

9 Competent authorities—potential for harmful conduct

(1) For subparagraph (a)(ii) of the definition of *competent authority* in subsection 15(2) of the Act, the following persons are specified as competent authorities in relation to the circumstances mentioned in subsection 15(1) of the Act that relate to Australia:
   (a) the Director-General of Security (within the meaning of the *Australian Security Intelligence Organisation Act 1979*);
   (b) a Deputy Director-General of Security (within the meaning of the *Australian Security Intelligence Organisation Act 1979*).

(2) For subparagraph (b)(ii) of the definition of *competent authority* in subsection 15(2) of the Act, the following persons are specified as competent authorities in relation to the circumstances mentioned in subsection 15(1) of the Act that relate to foreign countries:
   (a) the Secretary of the Attorney-General’s Department;
   (b) SES employees in the Attorney-General’s Department;
   (c) the Director-General of Security (within the meaning of the *Australian Security Intelligence Organisation Act 1979*);
   (d) a Deputy Director-General of Security (within the meaning of the *Australian Security Intelligence Organisation Act 1979*).

(3) For subparagraph (b)(iii) of the definition of *competent authority* in subsection 15(2) of the Act, the following entities are specified as competent authorities in relation to the circumstances mentioned in subsection 15(1) of the Act that relate to foreign countries:
   (a) the Department of Immigration and Border Protection;
   (b) the Australian Federal Police;
   (c) in relation to conduct of the kind mentioned in subparagraph 15(1)(a)(i) of the Act—ASIO.
Schedule 1—Repeals

*Foreign Passports Determination 2005*

1 The whole of the Determination

Repeal the Determination.