

TO: Tony Burke

TITLE: Department of Home Affairs Compliance with Senate Continuing Order No. 12 Indexed Lists of Departmental and Agency Files – January to June 2024

DATE PRINTED: 2/09/2024

NUMBER: MS24-001533

TIMING: For consideration by 9 September 2024, as agreed with Deputy CoS, to meet the required timeframes of Senate Continuing Order 12 required to be tabled on Tuesday 10th September.



Australian Government
Department of Home Affairs

Submission

For decision
PDMS Ref. Number: MS24-001533
Date of Clearance: 27/08/2024

To **Minister for Home Affairs, Minister for Immigration and Multicultural Affairs, Minister for Cyber Security**

Subject **Department of Home Affairs Compliance with Senate Continuing Order No. 12 Indexed Lists of Departmental and Agency Files**

Timing *For consideration by 9 September 2024, as agreed with Deputy CoS, to meet the required timeframes of Senate Continuing Order 12 required to be tabled on Tuesday 10th September.*

Recommendations

That you:

- 1. sign the attached letter notifying the President of the Senate, Senator the Hon Sue Lines, of compliance by the Department of Home Affairs with Senate Continuing Order No.12 (**Attachment A**). signed / not signed

Minister for Home Affairs, Minister for Immigration and Multicultural Affairs, Minister for Cyber Security

Signature.....

Date:...../...../ 2024

Minister's Comments

Key Issues

1. In accordance with Senate Continuing Order No.12 (the Order), Commonwealth Departments and agencies must place on their public facing website an indexed list of the file titles relating to their policy advising functions, including the development of legislation and other matters of public administration. This must occur on 10 September 2024.
2. This submission covers the reporting period 1 January to 30 June 2024 for the Department of Home Affairs (the Department), including the Australian Border Force (ABF).
3. The National Emergency Management Agency (NEMA) will report compliance in a separate submission to the Minister for Emergency Management, Senator the Hon Jenny McAllister and publish a consolidated list to their internet page.
4. The contents of relevant files may be accessed via the Freedom of Information process.

Background

5. The Order requires Ministers to have indexed lists of file titles placed on their respective department or agency website every six months. Relevant files include files relating to the policy advising functions of the Department, including any relating to the development of legislation and other matters of public administration.
6. In accordance with the Order, the Department does not publish:
 - files with a security classification of Protected, Confidential, Secret or Top Secret or their equivalent;
 - file titles from which it is apparent that particular matters have been, or will be, considered by Cabinet as well as those titles which would disclose its deliberations and decisions (this is in line with long standing principles about the deliberation of Cabinet);
 - case-related files, for example, personal representations or those dealing with the personal affairs of departmental clients;
 - files related to internal departmental administration, for example, staff or personnel, accounts, training and general administration and; and
 - files transferred to the National Archives of Australia.

- 7. The Department has also removed from the list of files information that is:
 - commercially confidential information;
 - identifiably personal information; and
 - security classified information that is disclosed in, or that could be established from, a file title.

Consultation – internal/external

- 8. The Department has prepared the list in consultation with relevant business areas across the Department and ABF.

Consultation – Secretary

- 9. The Secretary is aware of this Order, but has not been specifically consulted on this submission.

Client service implications

- 10. Nil.

Risks and Sensitivities

- 11. Nil.

Financial/systems/legislation/deregulation/media implications

- 12. Nil.

Attachments

Attachment A Letter notifying the President of the Senate of compliance with Senate Continuing Order No. 12

<p>Authorising Officer</p> <p>Cleared by:</p> <p>Clare Sharp General Counsel Group Manager, Legal Group Department of Home Affairs</p> <p>Date: 27/08/2024 Mob: s. 22(1)(a)(ii)</p>

Contact Officer: Carmen Saunders, Assistant Secretary, Privacy, FOI & Records Management
Ph: s. 22(1)(a)(ii)

- CC Secretary
- Associate Secretary
- ABF Commissioner
- Deputy Secretaries



The Hon Tony Burke MP
Minister for Home Affairs
Minister for Immigration and Multicultural Affairs
Minister for Cyber Security
Minister for the Arts
Leader of the House

Ref No: MS24-001533

Senator the Hon Sue Lines
President of the Senate
Parliament House
CANBERRA ACT 2600

Dear President

This letter is to advise that the Department of Home Affairs has complied with the requirements of Senate Continuing Order No. 12, for the reporting period of 1 January to 30 June 2024.

An indexed list of all relevant files has been published on the following internet page for the Department of Home Affairs: <https://www.homeaffairs.gov.au/reports-and-publications/reports/reports-to-parliament/file-listing>.

The National Emergency Management Agency (NEMA) will report compliance in a separate submission to the Minister for Emergency Management, Senator the Hon Jenny McAllister and publish a consolidated list to their internet page.

If you have any questions on this file listing, please contact the Assistant Secretary, Privacy, Freedom of Information and Records Management Branch, the Department of Home Affairs, Carmen Saunders, on [s. 22\(1\)\(a\)\(ii\)](#) or [s. 22\(1\)\(a\)\(ii\) @Homeaffairs.gov.au](#)

Yours sincerely

Tony Burke

/ / 2024