

AIIA reiterates ICT industry concerns over the potential negative impact of Assistance and Access 2018 legislation

The Australian Information Industry Association (AIIA), the peak member body for the ICT industry, recently made a submission to the Parliamentary Joint Committee on Intelligence and Security (PJCIS) on the review of amendments made by the Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018. Encryption and other forms of electronic protection are vital security measures that protect private, commercial and Government data. However, the exploitation of these technologies for illicit ends is a significant obstacle to the lawful access of communications by Australian law enforcement and security agencies. To address these threats, the Government introduced the Assistance and Access Act in late 2018 to secure critical assistance from the ICT industry, and enable law enforcement agencies to effectively investigate serious crimes. The limited consultation on the initial Bill in 2018 and subsequent amendments to the Act that were introduced by the Telecommunications and Other Legislation Amendment (Miscellaneous Amendments) Act 2019 in February this year have done little to ease industry concerns regarding the potential impact of this legislation. Commenting on the PJCIS review, the AIIA CEO, Ron Gauci, said: "The proposed amendments should be subject to comprehensive scrutiny and consultation with industry, privacy and security experts. The concerns that have been repeatedly expressed by the AIIA in this context are not isolated; there is broad consensus across the ICT industry on the potential adverse effects this legislation could have for Australian business and economic interests. "The AIIA maintains that, in its current state, the legislation is likely to have a negative impact on Australian ICT industry activities, both in terms of its ability to innovate, and export its expertise. Australian-based products and services captured by the Act are at risk of being perceived as less secure than those in other jurisdictions," said Mr Gauci. The AIIA strongly supports ongoing efforts to combat the use of technologies, including encryption, to conceal criminal activities. The Australian ICT industry already provides substantial assistance to law enforcement and intelligence agencies under the Data Retention Regime, the Telecommunications Sector Security Reform, and through the pre-existing interception legislation and assistance obligations enshrined in the Telecommunications Act. "It's worth noting that according to the 2018 survey conducted by the Alliance for a Safe and Secure Internet, 84.8 per cent of Australians polled say it is important, or very important, that anything the Government does to combat crime should not create weaknesses in Australia's online security systems and make it easier for criminals and terrorists to cause further harm to everyday Australians," added Mr Gauci. The AIIA is committed to continuing to work with the Government in achieving an appropriate balance between fostering technological innovation and the ongoing development of the Australian ICT industry with that of broader security and law enforcement considerations. ### About AIIA The Australian Information Industry Association (AIIA) is Australia's peak representative body and advocacy group for those in the digital ecosystem. Since 1978 AIIA has pursued activities to stimulate and grow the digital ecosystem, to create a favourable business environment for members and to contribute to Australia's economic prosperity. We do this by delivering outstanding member value by providing a strong voice of influence; building a sense of community through events and education; enabling a network for collaboration and inspiration; and developing compelling content and relevant and interesting information. Media Contacts For more information please contact: Jeffrey Coote Tel: (02) 8355 3130 jeffrey@filteredmedia.com.au

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