

# EXPOSURE DRAFT

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### **Security of Critical Infrastructure (Naval shipbuilding precinct) Amendment (LIN 23/073) Rules 2023**

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I, Clare O’Neil, Minister for Home Affairs and Minister for Cyber Security, make this instrument under section 61 of the *Security of Critical Infrastructure Act 2018*.

Dated 2023

#### **EXPOSURE DRAFT ONLY—NOT FOR SIGNATURE**

Clare O’Neil  
Minister for Home Affairs  
Minister for Cyber Security

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## **1 Name**

This instrument is the *Security of Critical Infrastructure (Naval shipbuilding precinct) Amendment (LIN 23/073) Rules 2023*.

## **2 Commencement**

This instrument commences on the day after registration.

## **3 Authority**

This instrument is made under section 61 of the *Security of Critical Infrastructure Act 2018*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Security of Critical Infrastructure (Naval shipbuilding precinct) Rules (LIN 23/007) 2023*

#### **1 Section 4**

Repeal the section, substitute:

#### **4 Critical infrastructure asset**

- (1) For paragraph 9(1)(f) of the Act, an asset is a critical infrastructure asset if it is:
  - (a) located within the Osborne Naval Shipyard, which is located on the Lefevre Peninsula, South Australia; and
  - (b) used for the primary purposes of naval shipbuilding and sustainment; and
  - (c) operated by an entity that has been granted exclusive control and usage, through licence or other contractual arrangement, of the asset or the area where the asset is located, for the purpose mentioned in paragraph (b).
- (2) For subsection 12L(23) of the Act, the responsible entity for a critical infrastructure asset mentioned in subsection (1) is:
  - (a) an entity that has been granted exclusive control and usage, through licence or other contractual arrangement, of the asset or the area where the asset is located; or
  - (b) in all other circumstances, Australian Naval Infrastructure Pty Ltd (ABN 45 051 762 639).

#### **2 Schedule 1**

Repeal the Schedule.