

27th November 2020

To: The Department of Home Affairs

Subject: The Security Legislation Amendment (Critical Infrastructure) Bill 2020

To whom it may concern

Civil Contractors Federation National (CCF) is pleased to provide a brief submission on the *Security Legislation Amendment (Critical Infrastructure) Bill 2020*.

By way of background, CCF is the peak employer body representing over 1,900 companies engaged in the civil construction industry in Australia. CCF Members are responsible for the construction and maintenance of Australia's infrastructure, including roads, bridges, pipelines, drainage, ports and utilities.

CCF notes the main features of the Bill involve:

- Introduction of a Positive Security Obligation for Critical Infrastructure Assets.
- Enhanced Cyber Security Obligations.
- Greater government assistance to industry to respond to threats.

CCF's comments on the Bill should be viewed in conjunction with its submission to Government on the exposure draft of the *Foreign Investment Reform (Protecting Australia's National Security) Bill 2020*. CCF's submission on this Bill is available at <https://www.civilcontractors.com/wp-content/uploads/2020/09/29-8-20-CCF-National-Submission-to-the-Foreign-Investment-Review-Framework-Final-Draft.pdf>.

The CCF submission included the following recommendation:

"That the Federal Government require all foreign owned companies tendering for major infrastructure projects to specifically and in detail demonstrate how they will:

- *adequately reinvest into the Australian economy and thereby contributing to our economic recovery.*
- *demonstrate how they will contribute to the growth and sustainability of local contractors by either entering into a meaningful joint venture arrangement or by other means.*
- ***satisfy any specific concerns the Government has in relation to security or any other matter on the project***".

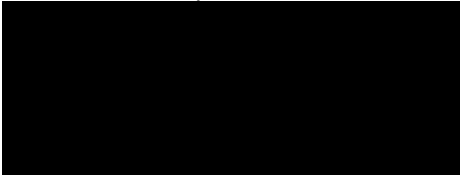
CCF notes that Section 12B of the *Security Legislation Amendment (Critical Infrastructure) Bill 2020* defines a critical freight infrastructure asset as a road network, rail network or intermodal facility that functions as a critical corridor for the transportation of goods between two states, a state or territory, two territories, or two cities or towns with populations of 10,000 or more.

Consistent with our previous recommendation on the *Foreign Investment Reform (Protecting Australia's National Security) Bill 2020*, CCF urges the Government to impose an obligation on any foreign owned company tendering for the construction of a 'critical infrastructure freight asset' to specifically and in detail satisfy the Government of any specific concern the Government may have in relation to security.

Imposing this obligation on all foreign owned companies tendering for the construction of a 'critical freight infrastructure asset' will help to maintain the security and integrity of Australia's critical infrastructure assets and support industry sustainability and the broader national interest.

Thank you for the opportunity to provide comment on the Bill and I remain at your disposal should you wish to discuss this submission or require any further information.

Yours sincerely



Christopher Melham
Chief Executive Officer
Civil Contractors Federation (National)