

27 November 2020



Mr Michael Pezzullo AO
Secretary
Department of Home Affairs
3 Lonsdale Street
BRADDON ACT 2612

Via email: ci.reforms@homeaffairs.gov.au

Dear Secretary

Security Legislation Amendment (Critical Infrastructure) Bill 2020

Swinburne University of Technology is grateful for the opportunity to make a submission to the Department of Home Affairs' consultation on an exposure draft of the Draft Security Legislation Amendment (Critical Infrastructure) Bill 2020 (The Bill).

Australia's universities make a very substantial contribution to Australia's economy, educating over 1.4 million domestic and international students each year¹, and employing over 130,000 people in academic and professional roles.² Further, our universities engage in research that is vital to our economic and social advancement and prosperity.

Swinburne concurs with the Australian Government that protecting Australia's critical infrastructure and systems of national significance is a vitally important task, and we appreciate the invitation from Home Affairs for universities to contribute to the co-design of sector specific standards prior to legislation being introduced to Parliament.

However, we share UAs concern that the significant powers the Bill provides to Government will largely be enacted by rules which sit outside of the legislation. Swinburne therefore supports UAs recommendation to include the majority of these significant measures in the primary legislation.

Swinburne also notes the potential of the legislation to constrain academic freedom, and we share UAs concern that certain provisions could impose both project and personnel restrictions. We recommend that the Government work closely with UA as our peak body to ensure the legislation is practical and fit for purpose prior to introduction.

Swinburne concurs with UA that care must be taken to ensure that the Bill does not discourage university-business collaboration, and that Government has a role to further encourage and incentivise such partnerships to hasten Australia's economic recovery from the COVID-19 pandemic.

¹ *Education.gov.au/student-data, accessed 24 November 2020*

² *Education.gov.au/staff-data, accessed 24 November 2020*

Swinburne further urges the Government to carefully consider how the Bill interacts and aligns with a number of other legislative measures concerning foreign influence, to ensure a coherent, connected approach to national security and protecting Australia's national interest.

Thank you for your consideration of this submission, and should you require further information, Mr Chris Hennessy, Director, Government Relations, can be reached at [REDACTED].

Yours sincerely

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Professor Pascale G. Quester
Vice-Chancellor and President