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Shell Australia supports the Commonwealth Government's aim to protect the essential services all Australians rely on by uplifting the security and resilience of critical infrastructure and systems of national significance.

Thank you for the opportunity to make a submission, we respectfully make the following requests and suggestions:

- Government should avoid a prescriptive approach to the critical infrastructure risk management program (**RMP**) by application of rules under 30AH(1)(c). The risks/hazards to critical infrastructure suggested in the definitions are likely to be identified and mitigated in existing annual assurance plans.
- Clearer definitions of critical infrastructure would assist and the Minister's ability to designate a system of national significance could leave businesses exposed to significant resourcing issues, should a facility be declared at short notice. Shell was grateful for your explanation that only 30 to 40 assets in Australia will receive this designation – our assumption is that none of Shell's would be designated, but please let us know if this is incorrect.
- If new regulatory requirements are imposed that lead to duplication of risk/hazard identification, mitigation planning and controls, and annual assurance it will require a significant amount of additional resourcing. This would impose additional regulatory burden and cost at a time when many businesses are already under significant cost pressures.
- Clearer definitions on critical cyber breaches and critical infrastructure asset data will assist in ensuring the right balance is achieved between what requires reporting or sharing without creating additional resourcing overhead or additional business risk exposure.
- Given the varied levels of business maturity of risk/hazard identification, mitigation planning and controls, and annual assurance; flexibility in phasing compliance enforcement will assist to mitigate non-compliance exposure whilst leveling the impact of any additional regulatory burden and cost.
- Given the varied levels of business maturity when it comes to risk/hazard identification, mitigation planning and controls, and annual assurance; a tiered system based on Governmental



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audits could be a more cost effective, efficient and practical way to achieve the policy objective of securing Australia's critical infrastructure, which is owned and operated by private business.

Yours sincerely,

David Bold
Manager - Federal Government and Policy