

s 22(1)(a)(ii)

From: Lindsay Buckingham <Lindsay.Buckingham@dfat.gov.au>
Sent: Wednesday, November 30, 2022 12:10 PM
To: luke.muffett@ag.gov.au
Cc: s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @dfat.gov.au; Gemma Huggins <Gemma.Huggins@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au; s 22(1)(a)(ii) @ag.gov.au
Subject: FW: s 33(a)(iii), s 42(1) entities under the Australian Criminal Code.

Hi Luke

Thanks for the chat today.

s 33(a)(iii), s 42(1)

s 33(a)(iii), s 42(1)

I have copied in my colleagues from OCT and Middle East Branch for visibility.

Lindsay

Lindsay Buckingham

Assistant Secretary

Australian Sanctions Office and Transnational Crime Branch | Regulatory Legal Division

Department of Foreign Affairs and Trade

T Duplicate - s 22(1)(a)(ii) | M s 22(1)(a)(ii)
22(1)() (ii)
EA - s 22(1)(a)(ii) | T s 22(1)(a)(ii)

From: s 22(1)(a)(ii) <@ag.gov.au>

Sent: Tuesday, 29 November 2022 5:08 PM

To: s 22(1)(a)(ii) <@dfat.gov.au>

Cc: s 22(1)(a)(ii) <@dfat.gov.au>; s 22(1)(a)(ii)

<@ag.gov.au>; s 22(1)(a)(ii)

<@ag.gov.au>

Subject: RE: s 33(a)(iii), s 42(1)

entities under the Australian Criminal Code.

Hi s 22(1)(a)(ii)

We can provide the following points:

- For an entity to be listed as a **terrorist organisation**, the AFP Minister (the Attorney-General) must be satisfied on reasonable grounds that the organisation (a) is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a **terrorist act**; or (b) advocates the doing of a terrorist act.
- **terrorist organisation** means (a) an organisation that is directly or indirectly engaged in,

preparing, planning, assisting in or fostering the doing of a **terrorist act**; or (b) an organisation that is specified by the regulations.

- **organisation** means (relevantly to this part) (a) a body corporate; or (b) an unincorporated body; whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation
- **terrorist act** means an action or threat of action done or made with the intention of **advancing a political, religious or ideological cause** and with the intention of either (i) coercing, or influencing by intimidation, the government of the Commonwealth or a State, Territory or foreign country, or of part of a State, Territory or foreign country; or (ii) **intimidating the public or a section of the public.**

s 33(a)(iii), s 42(1)

We note that in listing an organisation, the Attorney considers a range of legislative and non-legislative factors, which are outlined in the [Protocol for listing terrorist organisations \(nationalsecurity.gov.au\)](https://www.nationalsecurity.gov.au/protocol-for-listing-terrorist-organisations), so the meeting of the legislative threshold would not be the only consideration.

Thanks

s 22(1)(a)(ii)

Attorney-General's Department

T: s 22(1)(a)(ii) M: s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

@dfat.gov.au>

Sent: Tuesday, 29 November 2022 2:17 PM

To: s 22(1)(a)(ii)

@ag.gov.au>

Cc: s 22(1)(a)(ii)

@dfat.gov.au>

Subject: FW: s 33(a)(iii), s 42(1)

entities under the Australian Criminal Code.

Hi s 22(1)(a)(ii)

s 33(a)(iii), s 42(1)

s 33(a)(iii), s 42(1)

Regards,
s 22(1)(a)(ii)

Assistant Director | Australian Sanctions Office
Australian Sanctions Office and Transnational Crime Branch (AST) | Regulatory Legal Division (RLD)
Phone: s 22(1)(a)(ii) | Ext: s 22(1)(a)(ii)
Email: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)

From: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>
Sent: Tuesday, 29 November 2022 9:34 AM
To: s 22(1)(a)(ii) [@ag.gov.au](mailto:s 22(1)(a)(ii)@ag.gov.au)>
Cc: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>
Subject: FW: s 33(a)(iii), s 42(1) entities under the Australian Criminal Code.

Hi s 22(1)(a)(ii)

Did you have any luck finding someone who can assist us?

Regards,
s 22(1)(a)(ii)

Assistant Director | Australian Sanctions Office
Australian Sanctions Office and Transnational Crime Branch (AST) | Regulatory Legal Division (RLD)
Phone: s 22(1)(a)(ii) | Ext: s 22(1)(a)(ii)
Email: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)

From: s 22(1)(a)(ii)
Sent: Monday, 28 November 2022 3:18 PM
To: s 22(1)(a)(ii) [@ag.gov.au](mailto:s 22(1)(a)(ii)@ag.gov.au)
Cc: s 22(1)(a)(ii) [@dfat.gov.au](mailto:s 22(1)(a)(ii)@dfat.gov.au)>
Subject: s 33(a)(iii), s 42(1) entities under the Australian Criminal Code.

Hi s 22(1)(a)(ii)

Thank you for your time just now.

s 33(a)(iii), s 42(1)

Please see the full article: [Iran protests: Australia urged to do more to punish Tehran \(smh.com.au\)](https://www.smh.com.au)

s 33(a)(iii), s 42(1)

Grateful for your comments on the above as soon as possible.

Regards,
s 22(1)(a)(ii)

Assistant Director | Australian Sanctions Office

Australian Sanctions Office and Transnational Crime Branch (AST) | Regulatory Legal Division (RLD)

Phone: s 22(1)(a)(ii) | Ext: s 22(1)(a)(ii)

Email: s 22(1)(a)(ii) [@dfat.gov.au](mailto:dfat.gov.au)

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.