

STRENGTHENING THE NATIONAL SECURITY OF AUSTRALIA'S CRITICAL INFRASTRUCTURE

PORTS AUSTRALIA SUBMISSION

Ports Australia welcomes the opportunity to comment on the discussion paper published by the Critical Infrastructure Centre (CIC). Ports Australia supports the Australian Government's actions in responding to the complex and evolving national security risks to critical infrastructure such as ports.

Ports Australia – Representation

Ports Australia is the peak industry body representing all port authorities and corporations, both publicly and privately owned, at the national level. Ports Australia is a constituted company limited by guarantee with a Board of Directors, comprising the CEOs of 11 member ports. Our website is at www.portsaustralia.com.au

Ports Australia consulted closely with all its Members in developing the views outlined below.

Summary Comments

Ports Australia is continuously working with government officials and Ministers to improve the functionality of our ports, including on issues such as shipping channels, freight corridor protection, urban encroachment and port security. Effective cooperation between industry and government is key to ensuring that ports continue to be a valuable contributor to the national economy – at present approximately \$1.2 billion worth of trade flows through our ports. Given the significance of this critical infrastructure we appreciate the Government's ongoing recognition in looking to safeguard these assets.

At the Commonwealth level, ports work closely with the Office of Transport Security, the Department of Agriculture and Water Resources, and the Department of Immigration and Border Protection in complying with their various regulations on safety, security, biosecurity and customs matters. In addition, ports have also been engaging with the Defence Science Technology Group of the Department of Defence and CERT Australia on cybersecurity matters. There is a strong working relationship with all these Commonwealth Government bodies in working towards the common goal of securing our port environment to facilitate trade.

As outlined, ports are engaged with a raft of Commonwealth Government bodies and there are various regulations and government policies that ports adhere to. Given this, it is unclear as to why another Commonwealth body is engaged in the same, if not similar space. It is also not clear why existing government implementation approaches have not been canvassed in CIC's discussion paper as an avenue to meet its objectives.

As indicated ports are supportive of working towards a common goal of safeguarding port assets, however it is essential that governments start becoming efficient in engaging with industry on regulation, policy development and policy implementation. Inefficiencies and lack of coordination, by government with industry, results in additional costs (e.g. through additional compliance requirements) which are detrimental to Australian business being competitive in the global market.

We hope that the CIC in finalising its work strategy, outputs and outcome gives consideration to the view outlined above and engages with other Commonwealth bodies and ports to leverage knowledge

and actions (e.g. risk assessment analysis and mitigation strategies) that already exist and can be applied to achieve the objectives of the CIC.

Specific Comment

Critical Infrastructure Asset Register

CIC is seeking some private and potentially sensitive information in regards to the ownership of an asset, which it plans to “capture and track”. The discussion paper outlines that the CIC will use the information collected on the Register to feed into its national security risk assessments of assets. This purpose, by itself, runs the risk of indicating to owners of critical assets that they may be a risk to national security.

We suggest that the CIC look to further engage with industry on the purpose of the Register and how that information will be used. This would be critical in seeking cooperation in sourcing the information that the CIC needs on an ongoing basis.

Additionally, the CIC may also look to engage with the Australian Securities and Investment Commission which retains much of the information being sought for the Register.

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