

## VARIATION TO THE INTER-GOVERNMENTAL AGREEMENT ON AUSTRALIA'S NATIONAL COUNTER-TERRORISM ARRANGEMENTS

Date:

In accordance with Clause 9 of the Inter-governmental Agreement on Australia's National Counter-Terrorism Arrangements, this notice is given by and to:

The Commonwealth of Australia ("the Commonwealth")

The State of New South Wales

The State of Victoria

The State of Queensland

The State of Western Australia

The State of South Australia

The State of Tasmania

The Australian Capital Territory and

The Northern Territory of Australia (collectively called "the States and Territories").

### 1. BACKGROUND

In 2002 by the Agreement on Australia's National Counter-Terrorism Arrangements:

The Prime Minister and State and Territory Leaders agreed that a new national framework was needed to meet the new challenges of combating terrorism. The Leaders also reaffirmed the importance of effective cooperation between the jurisdictions and the need to build on existing arrangements in adding elements that would respond quickly and effectively to these challenges.

This framework was formalised on 24 October 2002 with the signing of the agreement which also established the National Counter-Terrorism Committee (NCTC), which would maintain a broad mandate to cover prevention and consequence management issues and with ministerial oversight.

In January 2012, the parties agreed to invite New Zealand to move from observer status to membership of the Committee, to ensure the closest possible coordination and cooperation on counter-terrorism matters. To reflect this change in membership, the Committee will be renamed the Australia-New Zealand Counter-Terrorism Committee (ANZCTC).

## 2. VARIATION TO AGREEMENT

The Commonwealth, State and Territory governments now enter into the following formal agreement to establish the basis for New Zealand membership of the Committee and the new governance details for the ANZCTC.

While the role of this Committee relates to Australia's counter-terrorism arrangements, New Zealand and Australia have a long-standing security relationship and the parties to the Agreement recognise the benefit of including New Zealand in certain aspects of Australia's counter-terrorism deliberations.

Accordingly, New Zealand is to be a member of the Committee to encourage closer strategic dialogue on matters of bilateral interest relevant to counter terrorism.

Unless explicitly stated all decisions and documents produced by the Committee apply only to Australia's counter-terrorism arrangements. New Zealand representatives will report independently to the New Zealand government.

New Zealand will not contribute to, or receive from, the fund administered by the Commonwealth on the basis of advice from the Committee. The new terms of reference for the ANZCTC are at *Annex A*.

SIGNED by:

Prime Minister of Australia

Premier of the State of New South Wales

Premier of the State of Victoria )

Premier of the State of Queensland )

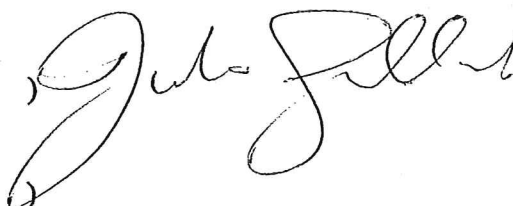
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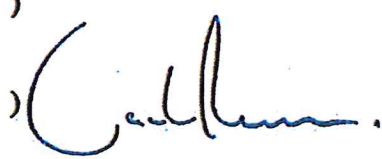
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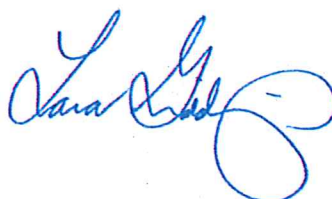
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*Larry Bange*

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**AUSTRALIA-NEW ZEALAND COUNTER-TERRORISM COMMITTEE**

**TERMS OF REFERENCE**

**MISSION**

The Australia-New Zealand Counter-Terrorism Committee (ANZCTC) is to contribute to the security of both countries:

- through the coordination of a cooperative framework to counter terrorism and its consequences; and
- by enhancing the existing relationship between Australia and New Zealand specifically in relation to counter-terrorism.

**OBJECTIVES**

The objectives of the Committee are to:

**International:**

- (a) provide a forum for strategic dialogue on matters of bilateral interest relevant to counter-terrorism between Australia and New Zealand; and
- (b) provide policy advice to heads of government on the effective coordination of inter-government counter-terrorism cooperation.

**National:**

In regard to Australia's nation-wide counter-terrorism arrangements the Commonwealth of Australia, States and Territories will:

- (c) provide expert strategic and policy advice to the Prime Minister, Premiers, Chief Ministers and other relevant ministers. This will be achieved by:
  - (i) effective counter-terrorism coordination through inter-jurisdictional and inter-agency cooperation;
  - (ii) reviewing current and emerging trends in terrorism;
  - (iii) reviewing, monitoring and advising on the adequacy of Australia's counter-terrorism legislation; and
  - (iv) reviewing, monitoring and advising on the adequacy of Australia's counter-terrorism strategies and policies to ensure best practice.
- (d) ensure an effective nation-wide counter-terrorism capability is maintained in Australia through:
  - (i) developing strong cooperative relationships between all parties;
  - (ii) a standardised jurisdictional and cross jurisdictional response capacity;
  - (iii) effective arrangements for the sharing of intelligence;
  - (iv) monitoring standards in all training disciplines to achieve best practice;
  - (v) effective command, control and coordination strategies;
  - (vi) consequence management plans to counter terrorism;
  - (vii) availability of appropriate systems and equipment;

- (viii) providing advice on the administration of the special fund; and
- (ix) developing evaluation and reporting methodologies to facilitate an annual reporting process.

- (e) reporting annually to the Prime Ministers, Premiers and Chief Ministers on counter-terrorism preparedness and capability.

## **METHOD OF OPERATION**

### **Membership**

The ANZCTC will be a high-level national body comprising representatives from the Commonwealth of Australia, Australian States and Territories and New Zealand.

The Commonwealth of Australia will provide secretariat and executive support.

### **Meetings**

Meetings will be held in the States and Territories and New Zealand in rotation and be chaired by a representative of the host government. A Commonwealth of Australia representative will co-chair meetings and a senior Commonwealth government representative will act on behalf of the Committee for matters requiring urgent out-of-session consideration.

Members will have a SECRET Australian national security clearance or the New Zealand equivalent.

### **Review**

There will be a review of the national counter-terrorism arrangements every three years.

### **Constitution**

The Committee will adopt a constitution governing its operation.