

§ 22(1)

From: Atkinson, Lucinda
Sent: Tuesday, 16 July 2019 5:13 PM
To: AGO DLO
Cc: Walter, Andrew; § 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Likely me and Andrew Walter I'd say.

From: AGO DLO
Sent: 16 July 2019 4:49 PM
To: Atkinson, Lucinda ; AGO DLO
Cc: Walter, Andrew ; § 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

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Hi Luci

§ 47F(1) actually just called me and has put forward a few times for Monday (12:00, 12:30, 11:30, 13:00) and I've sent these to Tim to see if any suit (I haven't heard back yet). Can I just confirm who will attend from the department (or numbers at least)?

Thank you

§ 22(1)

From: Atkinson, Lucinda
Sent: Tuesday, 16 July 2019 4:37 PM
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Cc: Walter, Andrew; § 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

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Hi § 22(1)
Any luck lining up a time for this briefing next week?
Luci

From: AGO DLO
Sent: 11 July 2019 3:49 PM
To: Atkinson, Lucinda § 47E(d) ; Wellington, Tim § 47E(d) ; AGO DLO § 47E(d)
Cc: Walter, Andrew § 47E(d) ; § 22(1)
Subject: RE: Request for briefing on the FITS Scheme [DLM=For-Official-Use-Only]

~~For Official Use Only~~

No problem.

Cheers

§ 22(1)

From: Atkinson, Lucinda
Sent: Thursday, 11 July 2019 3:25 PM
To: Wellington, Tim; AGO DLO
Cc: Walter, Andrew; § 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM-For-Official-Use-Only~~]

~~For Official Use Only~~

No problems.

§ 22(1) will you arrange timing? If Mr Dreyfus and others have availability on the Monday or Tuesday of that week, that would be ideal (but if not we will work with whatever they need).

From: Wellington, Tim
Sent: 11 July 2019 2:55 PM
To: Atkinson, Lucinda § 47E(d) >; AGO DLO § 47E(d)
Subject: FW: Request for briefing on the FITS Scheme [~~DLM-For-Official-Use-Only~~]

Hi all

Could we please arrange this for the week of 22 July

Cheers
TW

Sent with BlackBerry Work
(www.blackberry.com)

From: § 47F(1)
Date: Thursday, 11 Jul 2019, 11:00 am
To: Wellington, Tim § 47E(d)
Subject: Request for briefing on the FITS Scheme

Hi Tim

Thanks for the call earlier.

As discussed, with the FITS scheme now in force, a few questions have been raised about its operation.

In order to help ensure that the Opposition complies with – and encourages compliance with – the FITS Scheme, Mr Dreyfus has requested a departmental briefing in the sitting week commencing 22 July. He is particularly interested in the following questions:

1. The application of the FITS regime to MOPS staff of MPs, and specifically, whether the exemption from the scheme for MPs also extends to their personal staff.
2. The application of the FITS scheme to persons in Australia who are responsible for organising, on behalf of foreign governments, trips for Australian MPs and their staff to foreign countries.
3. The application of the FITS scheme to foreign political lobbyists holding events in Australia that are of a political character. An example could be the upcoming CPAC conference in Sydney on 9 – 11 August.

4. A general update on the roll-out of FITS and the public education campaigns.

Attending the briefing would be Mr Dreyfus, s 47F(1)

Please let me know if you need any further information from me.

Thank you

s 47F(1)

s 47F(1)

Office of Mark Dreyfus QC MP

Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for Constitutional Reform

s 47F(1)

s 22(1)

From: s 22(1)
Sent: Tuesday, 16 July 2019 5:20 PM
To: Atkinson, Lucinda
Subject: RE: Request for briefing on the FITS Scheme [DLM-For Official Use Only]

~~**For Official Use Only**~~

12.00 if he misses stand-up) and 12.30 and 1.00 are options
11.30 is in the middle of SMC

s 22(1) | Executive Assistant to Andrew Walter FAS | Luci Atkinson AS | Julia Galluccio AS
Integrity and Security Division | Level 3 Barton | s 22(1) | s 22(1)

From: Atkinson, Lucinda
Sent: Tuesday, 16 July 2019 5:14 PM
To: s 22(1)
Subject: FW: Request for briefing on the FITS Scheme [DLM-For Official Use Only]

~~**For Official Use Only**~~

Are any of these times not at all possible for AW on Monday 22nd? 12:00, 12:30, 11:30, 13:00

From: AGO DLO
Sent: 16 July 2019 4:49 PM
To: Atkinson, Lucinda ; AGO DLO
Cc: Walter, Andrew ; s 22(1)
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Attending the briefing would be Mr Dreyfus, s 47F(1)

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Office of Mark Dreyfus QC MP

Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for Constitutional Reform

s 47F(1)

s 22(1)

From: Atkinson, Lucinda
Sent: Wednesday, 17 July 2019 9:29 AM
To: AGO DLO
Cc: Walter, Andrew; s 22(1)
Subject: RE: Request for briefing on the FITS Scheme [DLM=For Official Use Only]

~~For Official Use Only~~

Hi again

We can be flexible re timing, but if there's a possibility of choosing one of the times below, 12.30 or 13.00 are probably best.

L

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To: Atkinson, Lucinda s 47E(d) ; Wellington, Tim s 47E(d) ; AGO DLO
<s 47E(d)>
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Subject: RE: Request for briefing on the FITS Scheme [DLM=For-Official-Use-Only]

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No problem.

Cheers

s 22(1)

From: Atkinson, Lucinda
Sent: Thursday, 11 July 2019 3:25 PM
To: Wellington, Tim; AGO DLO
Cc: Walter, Andrew; Scott, Anne
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Attending the briefing would be Mr Dreyfus, s 47F(1)

Please let me know if you need any further information from me.

Thank you

s 47F(1)

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Office of Mark Dreyfus QC MP

Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for Constitutional Reform

s 47F(1)

s 22(1)

From: s 22(1)
Sent: Wednesday, 17 July 2019 11:16 AM
To: s 22(1)
Cc: Atkinson, Lucinda; s 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Would you like me to start putting something together for this?

From: Atkinson, Lucinda
Sent: 17 July 2019 9:48 AM
To: s 22(1); s 22(1); s 22(1)
Subject: FW: Request for briefing on the FITS Scheme [DLM=For-Official-Use-Only]

~~For Official Use Only~~

Hello – questions for the Dreyfus briefing below

From: Wellington, Tim
Sent: 11 July 2019 2:55 PM
To: Atkinson, Lucinda s 47E(d); AGO DLO s 47E(d)
Subject: FW: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

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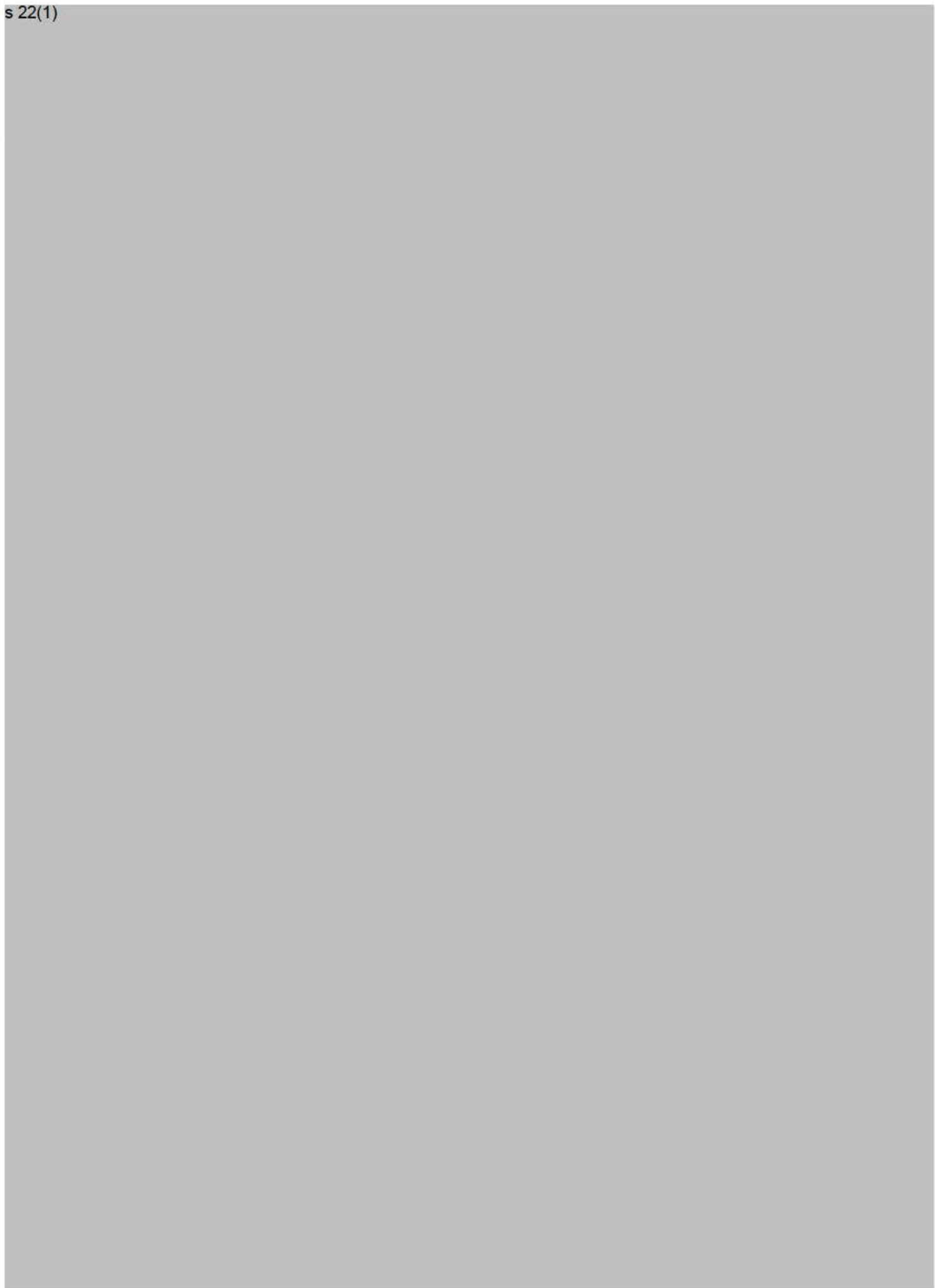
s 47F(1)

s 22(1)

From: s 22(1)
Sent: Monday, 22 July 2019 10:38 AM
To: [ALL LOCATIONS - AGD and AGS All Staff]
Subject: Weekly Summary - 22 July 2019 ~~[SEC=UNCLASSIFIED]~~

Attorney-General's Department
WEEKLY SUMMARY

s 22(1)



s 22(1)



INTEGRITY AND SECURITY

- Andrew Walter, First Assistant Secretary, Integrity and Security Division, and Lucinda Atkinson, Assistant Secretary, Institutional Integrity Branch, briefing the shadow Attorney-General, the Hon Mark Dreyfus MP, on the Foreign Influence Transparency Scheme – Monday 22 July.


s 22(1)



s 22(1)



s 22(1)



s 22(1)

From: s 22(1)
Sent: Monday, 22 July 2019 1:09 PM
To: Atkinson, Lucinda
Subject: RE: FITS - Mark Dreyfus Meeting [~~SEC=UNCLASSIFIED~~]

Thanks Luci. Will await the advice from s 22(1) Let me know if you run out of time to speak to him!

s 22(1)

From: Atkinson, Lucinda
Sent: 22 July 2019 12:57 PM
To: s 22(1)
Subject: FW: FITS - Mark Dreyfus Meeting [~~SEC=UNCLASSIFIED~~]

FYI. I have the team a more detailed run down. s 42(1)

From: Walter, Andrew s 47E(d) >
Date: Monday, 22 Jul 2019, 12:49 pm
To: s 22(1)
Cc: Atkinson, Lucinda s 47E(d) >, Chidgey, Sarah s 47E(d)
Subject: FITS - Mark Dreyfus Meeting [~~SEC=UNCLASSIFIED~~]

s 22(1)

Luci and I met with the AGO and Mark Dreyfus this morning to discuss FITS implementation. We provided a general update on implementation – electoral period, number of registrants etc – and responded to specific questions provided in advance on the following issues:

- application of the Act to MOPS Act staff – discussed the exemption rule under the Act;
- application to governments/organizations that arrange overseas trips for parliamentarians including what information is displayed on the register where an obligation to register arises;
- application of the Act to foreign political events held in Australia – of particular interest was a conservative conference being held in Sydney in August. We discussed the general principles and noted we would need to look into this particular conference further.

Mr Dreyfus noted the small number of registrants and was particularly interested in how we informed MOPS staff about their obligations.

Happy to discuss further if required.

Andrew

Andrew Walter | First Assistant Secretary
Integrity and Security Division
Attorney-General's Department
Tel s 47E(d) | s 47E(d)
s 47E(d) www.ag.gov.au

File No: 19/2093-4

DEPUTY SECRETARY

Foreign Influence Transparency Scheme – Letters regarding CPAC Australia 2019

Deadline: Tuesday 30 July 2019

Recommendation: I recommend that you:

s 22(1)



.....
Deputy Secretary
/ / 2019

Key Issues/Analysis: On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political lobbyists holding events in Australia, and noted the upcoming Conservative Political Action Conference (CPAC), to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme.

The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host and provides the details for members of the CPAC event management team, who are contactable via LibertyWorks email addresses. The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

S42(1)

s 22(1)

The event will host at least 14 speakers who are former Cabinet Ministers or recent designated position holders.

s 22(1)

s 22(1)

PROTECTED
SENSITIVE

Note, these letters are not a formal exercise of the powers available to you under the Act.

AGD Clearing Officer: Lucinda Atkinson, Assistant Secretary, Institutional Integrity Branch, s 47E(d)
Date Cleared: X July 2019
Action Officer: s 22(1) Institutional Integrity Branch, s 22(1)

Attachments:

s 22(1)

SENSITIVE
PROTECTED

File No: 19/2093-4

DEPUTY SECRETARY

Foreign Influence Transparency Scheme – Letters regarding CPAC Australia 2019

Deadline: Tuesday 30 July 2019

Recommendation: I recommend that you:

s 22(1)

s 47F(1)

Noted / Discuss

.....
Deputy Secretary

2 / 8 / 2019

Key Issues/Analysis: On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme. s 22(1)

The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host.

The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

s 42(1)

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SENSITIVE**

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AGD Clearing Officer: Lucinda Atkinson, Assistant Secretary, Institutional Integrity Branch, **s 47E(d)**
Date Cleared: Tuesday 30 July 2019
Action Officer: **s 22(1)**, Institutional Integrity Branch, **s 22(1)**

Attachments:

s 22(1)

**SENSITIVE
PROTECTED**

FOR OFFICIAL USE ONLY**Talking Points**

- The Foreign Influence Transparency Scheme (the scheme) commenced on 10 December 2018. The scheme is designed to provide the public and government decision-makers with visibility of the nature, level and extent of foreign influence on Australia's government and political process.
- The scheme does not prevent people or groups from participating in political conversations, expressing views about a government or political party or advocating their political opinions on various platforms. Nor should the scheme deter people from doing so. Rather, the scheme is intended to ensure that the source of the interests being represented through such activities is clear and appropriately disclosed.
- The scheme requires people or entities undertaking certain activities on behalf of a foreign principal to register, unless an exemption applies. Foreign principals include foreign governments and foreign political organisations. Relevant activities include 'communications activities', like speeches, where the aim of the activity is to influence public views on matters relating to Australian federal government policies and decisions.
- My department administers the scheme. As the scheme is relatively new, when the department becomes aware of activities which might attract registration obligations, the department will typically write to those involved to ensure they are aware of the obligations under the scheme.
- [I am aware of reports that] My department has written to the President of LibertyWorks Inc. (LibertyWorks), Mr Andrew Cooper, in relation to his organisation's role in promoting the upcoming Conservative Political Action Conference (CPAC) Australia 2019 in conjunction with the American Conservative Union (ACU). I understand the letter drew LibertyWorks' attention to the operation of the scheme and sought their cooperation to ensure those speaking at the conference are also aware of the obligations imposed by the scheme.
- It is a matter for potential registrants to determine whether or not they are required to register. It would not be appropriate to comment further. More information about the scheme is available at www.ag.gov.au/transparency.

Background

- The Foreign Influence Transparency Scheme (the scheme) aims to provide the Australian public and decision makers in government with visibility of the forms and sources of foreign influence in Australia's governmental and political systems and processes.
- The scheme is part of a broader National Security legislation package intended to enhance Australia's espionage and foreign interference capability.
- Under the scheme, obligations to register arise in the following circumstances:
 - A registerable activity is being undertaken, and
 - The activity is undertaken on behalf of a foreign principal, and
 - The purpose of the activity is for political or governmental influence, and
 - The person or the activity are not exempt under the Act.
- The scheme recognises that transparency is fundamental to democracy. Where there is transparency about the fact that influencing activities such as lobbying are done on behalf of a foreign principal, these activities are a healthy and legitimate part of our open and robust democratic processes.

FOR OFFICIAL USE ONLY

- There are also some exemptions to registration obligations under the scheme including religious activity, diplomatic, consular or similar activities, foreign government employees and commercial or business pursuits and registered charities.
- During an election period there are more stringent obligations on registrants due to the heightened need for transparency during this time.

Conservative Political Action Conference (CPAC) Australia 2019

- On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme.
- The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host.
- The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

s 42(1)

- In order to ensure LibertyWorks and others are made aware of their potential obligations as quickly as possible, the Department wrote to LibertyWorks on **2 August 2019** outlining its potential obligations under the Act and requesting that it bring the scheme to the attention of speakers.

s 22(1)

From: Atkinson, Lucinda
Sent: Friday, 2 August 2019 7:32 PM
To: s 22(1)
Subject: FW: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

s 22(1)

s 22(1)

S42(1)

S42(1)

S42(1)



S22(1)(a)(ii)



From: Atkinson, Lucinda s 47E(d) >
Date: Friday, 02 Aug 2019, 6:24 pm
To: Wellington, Tim s 47E(d) >, S47F(1), S47F(1)
 S47F(1) Walter, Andrew s 47E(d) Chidgey, Sarah
 s 47E(d) s 22(1)
Subject: RE: CPAC talking points [~~DLM-For-Official-Use-Only~~]

~~For Official Use Only~~

S42(1)

Also, as discussed I've just slightly revised the language below (background, in green) about the number of confirmed speakers who are former Cabinet Ministers and recent designated position holders, as the list on the CPAC website seems to have changed since we made the initial assessment.

At the moment, the people in those categories who are listed (and would not be otherwise exempt) are:

- THE HON. TONY ABBOTT

S47F(1)



S47F(1)



If you are able to identify contact details for any of these people, it would help us immensely.

S42(1)



S42(1)

From: S47F(1)
Date: Friday, 02 Aug 2019, 4:25 pm
To: S47F(1) Wellington, Tim S 47E(d)
Subject: FW: CPAC talking points [~~DLM-For Official Use Only~~]

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FYI

From: Atkinson, Lucinda
Sent: Friday, 2 August 2019 4:20 PM
To: S47F(1)
Cc: AGO DLO; Transparency; Walter, Andrew
Subject: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

Hi S47F(1)

As requested, below are some points about the CPAC letter and FITS in case this is raised with the AGO. Happy to discuss.

L

Talking Points
<ul style="list-style-type: none"> • The Foreign Influence Transparency Scheme (the scheme) commenced on 10 December 2018. The scheme is designed to provide the public and government decision-makers with visibility of the nature, level and extent of foreign influence on Australia's government and political process. • The scheme does not prevent people or groups from participating in political conversations, expressing views about a government or political party or advocating their political opinions on various platforms. Nor should the scheme deter people from doing so. Rather, the scheme is intended to ensure that the source of the interests being represented through such activities is clear and appropriately disclosed. • The scheme requires people or entities undertaking certain activities on behalf of a foreign principal to register, unless an exemption applies. Foreign principals include foreign governments and foreign political organisations. Relevant activities include 'communications activities', like speeches, where the aim of the activity is to influence public views on matters relating to Australian federal government policies and decisions. • My department administers the scheme. As the scheme is relatively new, when the department becomes aware of activities which might attract registration obligations, the department will typically write to those involved to ensure they are aware of the obligations under the scheme. • [I am aware of reports that] My department has written to the President of LibertyWorks Inc. (LibertyWorks), Mr Andrew Cooper, in relation to his organisation's role in promoting the upcoming Conservative Political Action Conference (CPAC) Australia 2019 in conjunction with the American Conservative Union (ACU). I understand the letter drew LibertyWorks' attention

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Background


Conservative Political Action Conference (CPAC) Australia 2019

- On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on implementation of the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme and asked what the Department planned to do about it.
- The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host.
- The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

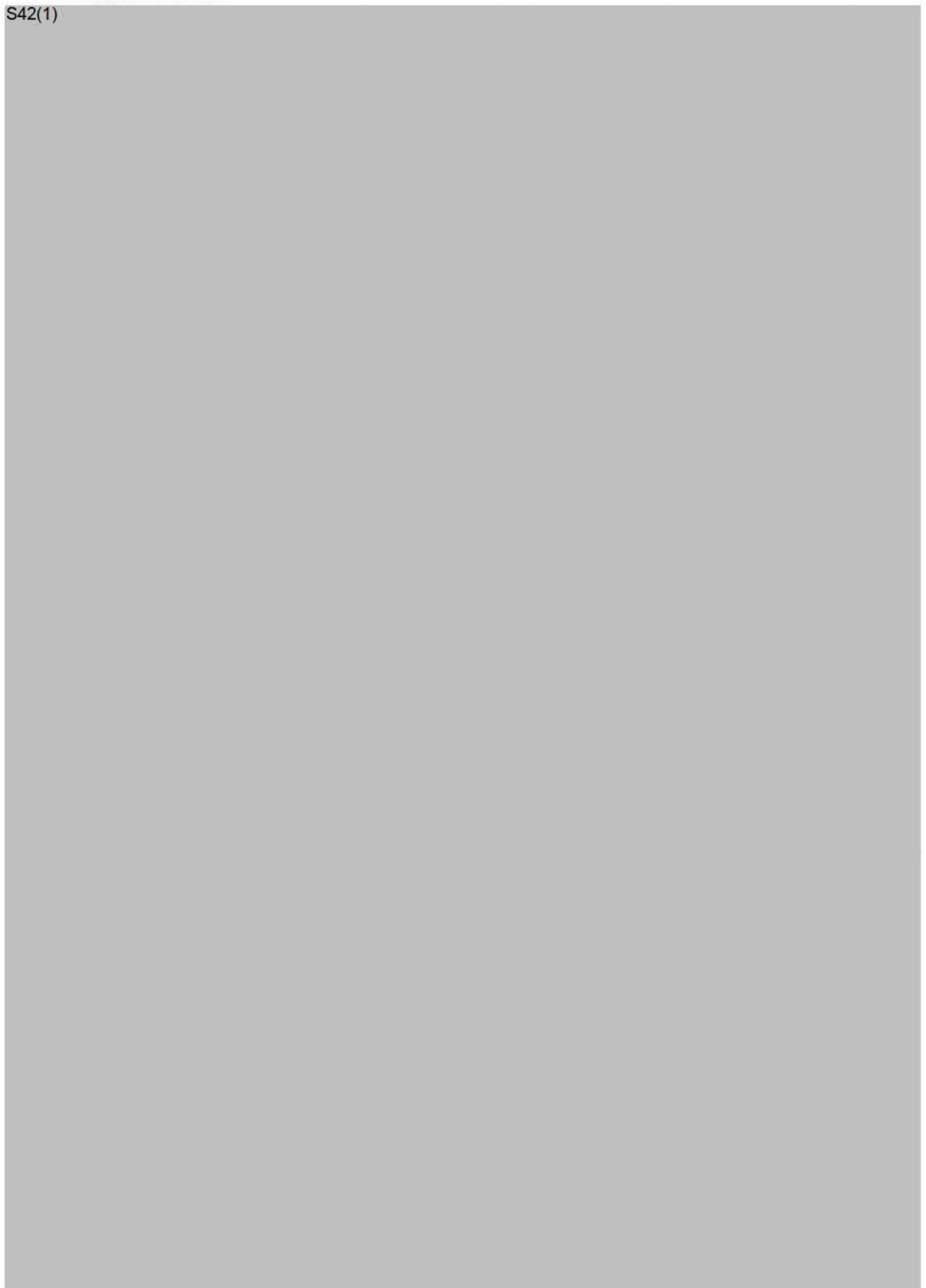
S42(1)

- Further, individuals who have agreed to speak as part of the event may also be liable to register. In this regard, we note **several** of the speakers are former Cabinet Ministers or recent designated position holders, subject to more extensive obligations under the scheme.
- In order to ensure LibertyWorks and others are made aware of their potential obligations as quickly as possible, the Department wrote to LibertyWorks on **2 August 2019** outlining its potential obligations under the Act and requesting that it bring the scheme to the attention of speakers.
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S42(1)



S42(1)



S42(1)

From: Atkinson, Lucinda s 47E(d)
Date: Friday, 02 Aug 2019, 6:24 pm
To: Wellington, Tim s 47E(d) S47F(1)
 S47F(1), Walter, Andrew s 47E(d) Chidgey, Sarah
 s 47E(d) S22(1)(a)(ii)
Subject: RE: CPAC talking points [~~DEM=For Official Use Only~~]

~~For Official Use Only~~

Thanks Tim – I'll get you something asap for the AG (but you've got it pretty spot on, combined with the additional obligations for former Cabinet Ministers and recent designated position holders.)

Also, as discussed I've just slightly revised the language below (background, in green) about the number of confirmed speakers who are former Cabinet Ministers and recent designated position holders, as the list on the CPAC website seems to have changed since we made the initial assessment.

At the moment, the people in those categories who are listed (and would not be otherwise exempt) are:

- THE HON. TONY ABBOTT

S47F(1)

[Redacted]

S47F(1)

[Redacted]

If you are able to identify contact details for any of these people, it would help us immensely.

S42(1)

[Redacted]

S42(1)

s 22(1)

From: Atkinson, Lucinda
Sent: Friday, 2 August 2019 4:20 PM
To: S47F(1)
Cc: AGO DLO; Transparency; Walter, Andrew
Subject: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

Hi S47F(1)

As requested, below are some points about the CPAC letter and FITS in case this is raised with the AGO. Happy to discuss.

L

Talking Points

- The Foreign Influence Transparency Scheme (the scheme) commenced on 10 December 2018. The scheme is designed to provide the public and government decision-makers with visibility of the nature, level and extent of foreign influence on Australia's government and political process.
- The scheme does not prevent people or groups from participating in political conversations, expressing views about a government or political party or advocating their political opinions on various platforms. Nor should the scheme deter people from doing so. Rather, the scheme is intended to ensure that the source of the interests being represented through such activities is clear and appropriately disclosed.
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- My department administers the scheme. As the scheme is relatively new, when the department becomes aware of activities which might attract registration obligations, the department will typically write to those involved to ensure they are aware of the obligations under the scheme.
- [I am aware of reports that] My department has written to the President of LibertyWorks Inc. (LibertyWorks), Mr Andrew Cooper, in relation to his organisation's role in promoting the upcoming Conservative Political Action Conference (CPAC) Australia 2019 in conjunction with

the American Conservative Union (ACU). I understand the letter drew LibertyWorks' attention to the operation of the scheme and sought their cooperation to ensure those speaking at the conference are also aware of the obligations imposed by the scheme.

- It is a matter for potential registrants to determine whether or not they are required to register. It would not be appropriate to comment further. More information about the scheme is available at www.ag.gov.au/transparency.

Background

Conservative Political Action Conference (CPAC) Australia 2019

- On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on implementation of the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme and asked what the Department planned to do about it.
- The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host.
- The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

S42(1)

- Further, individuals who have agreed to speak as part of the event may also be liable to register. In this regard, we note [REDACTED] of the speakers are former Cabinet Ministers or recent designated position holders, subject to more extensive obligations under the scheme.
- In order to ensure LibertyWorks and others are made aware of their potential obligations as quickly as possible, the Department wrote to LibertyWorks on **2 August 2019** outlining its potential obligations under the Act and requesting that it bring the scheme to the attention of speakers.
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s 22(1)

s 42(1)

From: Atkinson, Lucinda

Sent: 02 August 2019 6:24 PM

To: Wellington, Tim ; s 47F(1) ; s 47F(1) ; Walter, Andrew ; Chidgey, Sarah ; s 22(1)

Subject: RE: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

s 42(1)

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- THE HON. TONY ABBOTT

s 47F(1)

s 47F(1)

If you are able to identify contact details for any of these people, it would help us immensely.

s 42(1)

s 42(1)

From: s 47F(1) >
Date: Friday, 02 Aug 2019, 4:25 pm
To: s 47F(1) >, Wellington, Tim s 47E(d)
Subject: FW: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

FYI

From: Atkinson, Lucinda
Sent: Friday, 2 August 2019 4:20 PM
To: s 47F(1)
Cc: AGO DLO; Transparency; Walter, Andrew
Subject: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

Hi s 47F(1)

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s 42(1)

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s 22(1)

From: s 22(1)
Sent: Monday, 5 August 2019 10:44 AM
To: Atkinson, Lucinda
Cc: s 22(1)
Subject: RE: CPAC talking points [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Hello

The FITS EM notes the following in relation to section 11 (undertaking an activity **on behalf of** a foreign principal):

- Subparagraph 11(1)(a)(ii) provides that a person is undertaking an activity *on behalf of* a foreign principal if the person undertakes the activity in the service of the foreign principal. The term 'in the service of' is not defined and is intended to cover situations where the person's activities fall short of being ordered, directed or requested by the foreign principal, but are still helping or meeting the needs of the foreign principal. There will still need to be a connection between the actions of the person and the foreign principal. It will not be sufficient for the person to unilaterally decide that they are undertaking particular activities 'in the service of' a foreign principal. The foreign principal must be, in some way, seeking or overseeing the activities.
- Subparagraph 11(1)(a)(iii) provides that a person is undertaking an activity *on behalf of* a foreign principal if the person undertakes the activity on the order or at the request of the foreign principal. This covers the situation where the person and the foreign principal do not have a formal or informal 'arrangement', but the foreign principal orders or requests a person to undertake particular activities.
- These terms are not defined and are intended to take their ordinary meanings.
 - *Orders* is intended to cover commands or instructions.
 - *Requests* is intended to include a person asking, whether formally or informally, for someone to do something.

From: Atkinson, Lucinda
Sent: 05 August 2019 10:35 AM
To: Scott, Anne ; Witcombe, Jaan-clare
Subject: FW: CPAC talking points [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Can we discuss?

s 42(1)

s 42(1)

From: Atkinson, Lucinda
Sent: 02 August 2019 6:24 PM
To: Wellington, Tim <s 47E(d)>; S47F(1)>; Donnellan, Kevin
S47F(1); Walter, Andrew s 47E(d); Chidgey, Sarah
s 47E(d); s 22(1)
Subject: RE: CPAC talking points [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

s 42(1)

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At the moment, the people in those categories who are listed (and would not be otherwise exempt) are:

- THE HON. TONY ABBOTT

S47F(1)

S47F(1)

If you are able to identify contact details for any of these people, it would help us immensely.

s 42(1)

From: S47F(1)

Date: Friday, 02 Aug 2019, 4:25 pm

To: S47F(1) <@ag.gov.au>, Wellington, Tim s 47E(d) >

Subject: FW: CPAC talking points [~~DLM-For-Official-Use-Only~~]

~~For Official Use Only~~

FYI

From: Atkinson, Lucinda

Sent: Friday, 2 August 2019 4:20 PM

To: S47F(1)

Cc: AGO DLO; Transparency; Walter, Andrew

Subject: CPAC talking points [~~DLM-For-Official-Use-Only~~]

~~For Official Use Only~~

Hi S47F(1)

As requested, below are some points about the CPAC letter and FITS in case this is raised with the AGO. Happy to discuss.

L

Talking Points

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- [I am aware of reports that] My department has written to the President of LibertyWorks Inc. (LibertyWorks), Mr Andrew Cooper, in relation to his organisation's role in promoting the upcoming Conservative Political Action Conference (CPAC) Australia 2019 in conjunction with the American Conservative Union (ACU). I understand the letter drew LibertyWorks' attention to the operation of the scheme and sought their cooperation to ensure those speaking at the conference are also aware of the obligations imposed by the scheme.
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s 42(1)

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s 22(1)

From: s 22(1)
Sent: Monday, 5 August 2019 11:06 AM
To: s 22(1)
Cc: Atkinson, Lucinda
Subject: FW: Hand over ~~[SEC-PROTECTED]~~
Attachments: For input by COB Wed 14 August: 2018-19 Legal Services Expenditure Report and Annual Certificate of Compliance ~~[DLM-For Official Use Only]~~

PROTECTED

Hi s 22(1)

The rest of the handover is now pasted below.

s 22(1)

s 22(1)

Any questions, just let me know.

Cheers

s 22(1)

s 22(1) | T: s 22(1)

From: s 22(1)
Sent: 05 August 2019 9:03 AM
To: s 22(1)
Cc: Atkinson, Lucinda
Subject: RE: Hand over ~~[SEC-PROTECTED]~~

PROTECTED

Hi s 22(1)

s 22(1)

Below is half a handover – I had kept a bit of a rolling list of things that have happened in your absence, so I'll send that through now. I've also listed the key things for this week below.

s 22(1)

s 22(1)



Week 2 – beginning 22 July

s 22(1)



- Luci and Andrew briefed Mark Dreyfus. Following this:
 - Drafted request s 42(1) (not yet finalised)
 - Prepared letters and minute to the organisers of the CPAC conference.

s 22(1)




s 22(1)



s 22(1)



s 22(1)

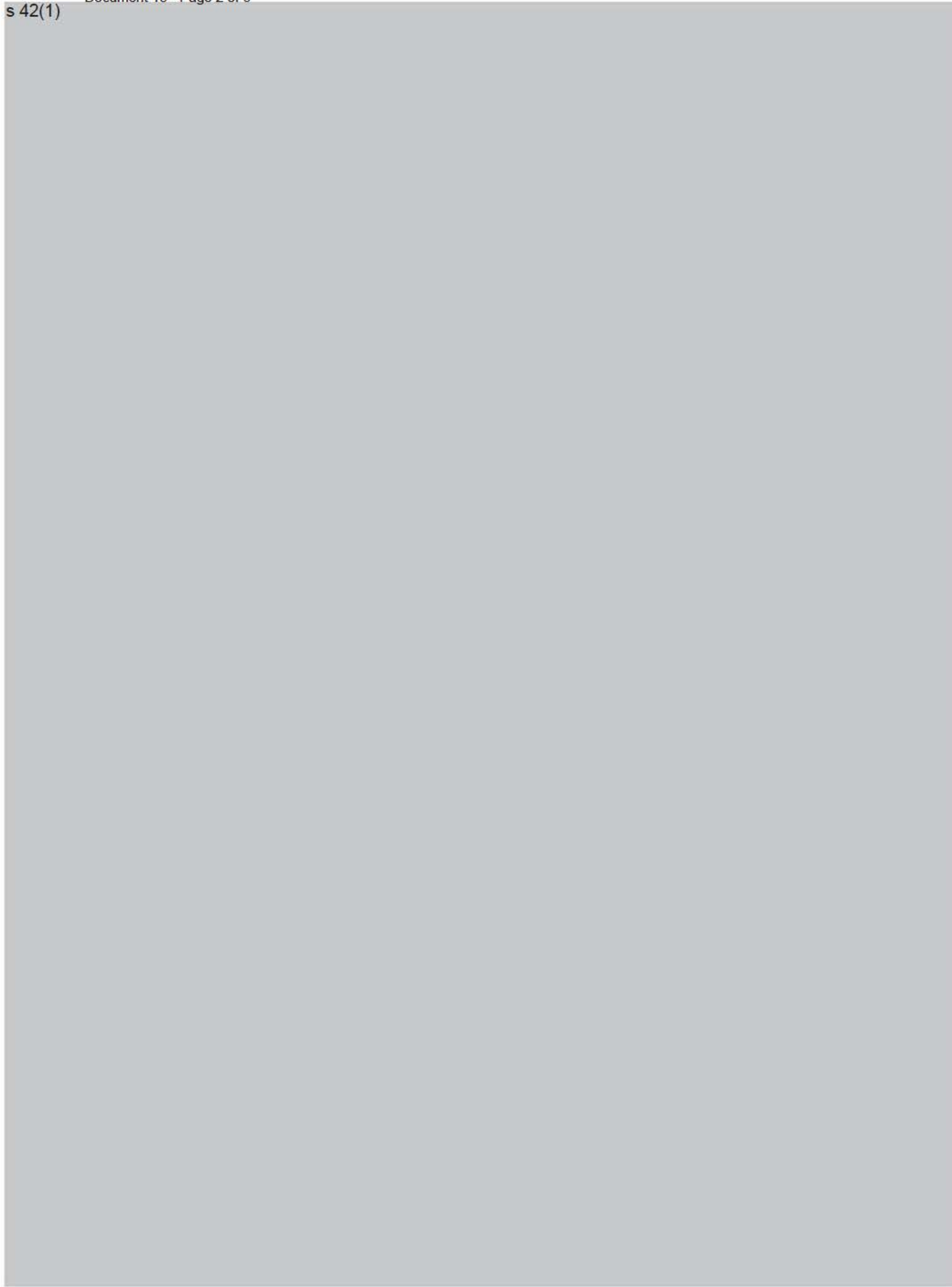


s 22(1)

s 42(1)



s 42(1)



s 42(1)

From: Atkinson, Lucinda

Sent: 02 August 2019 6:24 PM

To: Wellington, Tim s 47E(d); s 47F(1); s 47F(1);
s 47F(1); Walter, Andrew s 47E(d); Chidgey, Sarah
s 47E(d); s 22(1)

Subject: RE: CPAC talking points [~~DLM=For Official Use Only~~]

~~**For Official Use Only**~~

s 42(1)

Also, as discussed I've just slightly revised the language below (background, in green) about the number of confirmed speakers who are former Cabinet Ministers and recent designated position holders, as the list on the CPAC website seems to have changed since we made the initial assessment.

At the moment, the people in those categories who are listed (and would not be otherwise exempt) are:

- THE HON. TONY ABBOTT

s 47F(1)

s 47F(1)

If you are able to identify contact details for any of these people, it would help us immensely.

s 42(1)

From: s 47F(1)
Date: Friday, 02 Aug 2019, 4:25 pm
To: s 47F(1) >, Wellington, Tim s 47E(d)
Subject: FW: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

FYI

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Sent: Friday, 2 August 2019 4:20 PM
To: s 47F(1)
Cc: AGO DLO; Transparency; Walter, Andrew
Subject: CPAC talking points [~~DLM-For Official Use Only~~]

~~For Official Use Only~~

Hi s 47F(1)

As requested, below are some points about the CPAC letter and FITS in case this is raised with the AGO. Happy to discuss.

L

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s 42(1)


- Further, individuals who have agreed to speak as part of the event may also be liable to register. In this regard, we note **several** of the speakers are former Cabinet Ministers or recent designated position holders, subject to more extensive obligations under the scheme.
- In order to ensure LibertyWorks and others are made aware of their potential obligations as quickly as possible, the Department wrote to LibertyWorks on **2 August 2019** outlining its

potential obligations under the Act and requesting that it bring the scheme to the attention of speakers.

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PROTECTED
SENSITIVE**Attorney-General's Department – Integrity and Security Division****File No:** 19/2093-4**DEPUTY SECRETARY****Foreign Influence Transparency Scheme – Letters regarding CPAC Australia 2019****Deadline:** Thursday 8 August 2019**Recommendation:** I recommend that you **sign** the letters to The Hon Tony Abbott, S47F(1)
s 22(1)

Signed / Not Signed / Discuss


.....
Deputy Secretary
8 / 8 / 2019

Key Issues/Analysis: On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme. s 22(1)

The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. S42(1)
S42(1)

There are a number of prominent former Cabinet Ministers and recent designated position holders who have agreed to speak as part of the event and may also be liable to register. Whilst the Department had originally identified more individuals who may be subject to registration obligations, several speakers no longer appear on the conference agenda and this list has now been narrowed down to 4 people: two former Cabinet Ministers (the Hon Tony Abbott and S47F(1) and two recent designated position holders S47F(1) After discussion with the Secretary's office, it has been decided that it would be most appropriate that these letters come from you. We recommend that you write to these people to alert them to their obligations under the scheme. s 22(1)

Note, these letters are not a formal exercise of the powers available under the Act.

AGD Clearing Officer: Lucinda Atkinson, Assistant Secretary, Institutional Integrity Branch, S47E(d)
Date Cleared: 8 August 2019
Action Officer: s 22(1), Foreign Influence Transparency Scheme, s 22(1)

Attachments:

s 22(1)

SENSITIVE
PROTECTED

s 22(1)

From: Wellington, Tim
Sent: Wednesday, 30 October 2019 6:23 PM
To: Atkinson, Lucinda
Subject: RE: CPAC talking points [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Yep that's the one thank you

From: Atkinson, Lucinda
Sent: Wednesday, 30 October 2019 6:21 PM
To: Wellington, Tim
Subject: FW: CPAC talking points [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

This is it I think

s 42(1)



s 42(1)



s 42(1)

From: Atkinson, Lucinda s 47E(d)
Date: Friday, 02 Aug 2019, 6:24 pm
To: Wellington, Tim s 47E(d) >, s 47F(1) s 47F(1)
s 47F(1), Walter, Andrew s 47E(d), Chidgey, Sarah
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s 42(1)

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Background

Conservative Political Action Conference (CPAC) Australia 2019

- On 22 July 2019, senior representatives of the Integrity and Security Division provided the Shadow Attorney-General, the Hon Mark Dreyfus QC MP, with a briefing on implementation of the Foreign Influence Transparency Scheme (the scheme). During the meeting, Mr Dreyfus queried the application of the scheme to foreign political organisations holding events in Australia. He specifically raised the upcoming Conservative Political Action Conference (CPAC) to be held in Sydney on 9-11 August 2019, as an example of an event that may trigger registration obligations under the scheme and asked what the Department planned to do about it.
- The CPAC website describes the event as being jointly organised by the American Conservative Union (ACU) and Australian organisation LibertyWorks Inc. (LibertyWorks). The website lists Australian President of LibertyWorks, Mr Andrew Cooper, as the event's co-host.
- The ACU's purpose is to promote and advocate for conservative values, policies, and political candidates. The ACU has held annual CPAC conferences in the US since 1973 and has previously co-hosted events in Israel and Japan.

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- Further, individuals who have agreed to speak as part of the event may also be liable to register. In this regard, we note **several** of the speakers are former Cabinet Ministers or recent designated position holders, subject to more extensive obligations under the scheme.
- In order to ensure LibertyWorks and others are made aware of their potential obligations as quickly as possible, the Department wrote to LibertyWorks on **2 August 2019** outlining its potential obligations under the Act and requesting that it bring the scheme to the attention of speakers.
- The Department has chosen not to write directly to former Cabinet Ministers and recent designated position holders who are listed as speakers at CPAC, as letters to these individuals would be unlikely to reach them in advance of the event. Instead, the Department will ensure that future outreach to these people takes into account the possible obligations which may arise from participation in this event.

s 22(1)

From: Atkinson, Lucinda
Sent: Wednesday, 6 November 2019 7:48 PM
To: s 22(1)
Subject: FW: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

Also coincidentally came across this – which includes a specific Q from Dreyfus' s 47F(1) to Tim

From: Atkinson, Lucinda
Sent: Thursday, 11 July 2019 3:25 PM
To: Wellington, Tim ; AGO DLO
Cc: Walter, Andrew ; s 22(1)
Subject: RE: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

~~For Official Use Only~~

No problems.

s 22(1) will you arrange timing? If Mr Dreyfus and others have availability on the Monday or Tuesday of that week, that would be ideal (but if not we will work with whatever they need).

From: Wellington, Tim
Sent: 11 July 2019 2:55 PM
To: Atkinson, Lucinda s 47E(d) ; AGO DLO s 47E(d)
Subject: FW: Request for briefing on the FITS Scheme [~~DLM=For Official Use Only~~]

Hi all

Could we please arrange this for the week of 22 July

Cheers
TW

Sent with BlackBerry Work
(www.blackberry.com)

From: s 47F(1)
Date: Thursday, 11 Jul 2019, 11:00 am
To: Wellington, Tim s 47E(d)
Subject: Request for briefing on the FITS Scheme

Hi Tim

Thanks for the call earlier.

As discussed, with the FITS scheme now in force, a few questions have been raised about its operation.

In order to help ensure that the Opposition complies with – and encourages compliance with – the FITS Scheme, Mr Dreyfus has requested a departmental briefing in the sitting week commencing 22 July. He is particularly interested in the following questions:

1. The application of the FITS regime to MOPS staff of MPs, and specifically, whether the exemption from the scheme for MPs also extends to their personal staff.
2. The application of the FITS scheme to persons in Australia who are responsible for organising, on behalf of foreign governments, trips for Australian MPs and their staff to foreign countries.
3. The application of the FITS scheme to foreign political lobbyists holding events in Australia that are of a political character. An example could be the upcoming CPAC conference in Sydney on 9 – 11 August.
4. A general update on the roll-out of FITS and the public education campaigns.

Attending the briefing would be Mr Dreyfus, s 47F(1)

Please let me know if you need any further information from me.

Thank you

s 47F(1)

s 47F(1)

Office of Mark Dreyfus QC MP

Federal Member for Isaacs | Shadow Attorney-General | Shadow Minister for Constitutional Reform

s 47F(1)

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Secretary Meeting Brief – Meeting with the Attorney-General to discuss the Foreign Influence Transparency Scheme

Wednesday 13 November 2019

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s 22(1)

- o The CPAC/LibertyWorks matter was brought to our attention by Mr Mark Dreyfus QC MP in a briefing on the scheme's implementation on 22 July 2019.
 - Tim Wellington was aware of Mr Dreyfus' questions to the department on this issue (via an email from Dreyfus^{s 22(1)} prior to the briefing).

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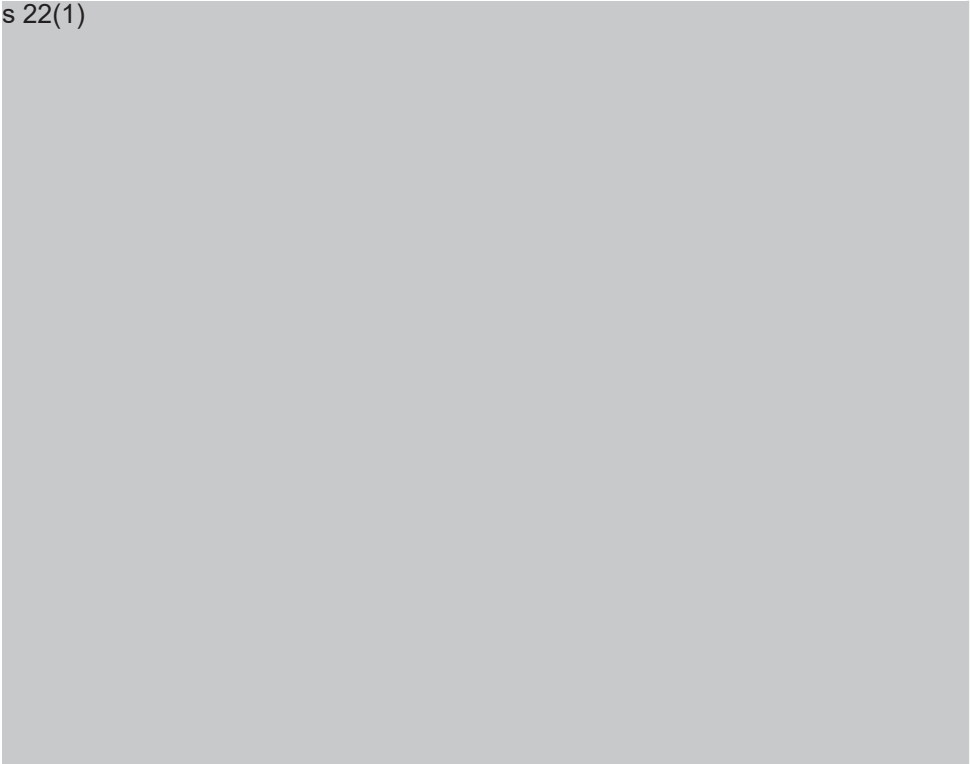
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