

Witness Protection Amendment (Eligible National Security Clearance) Regulations 2024

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 29 February 2024

David Hurley

Governor‑General

By His Excellency’s Command

Mark Dreyfus KC

Attorney‑General

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1 Name

This instrument is the *Witness Protection Amendment (Eligible National Security Clearance) Regulations 2024*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The later of:  (a) the day after this instrument is registered; and  (b) the day Schedule 9 to the *Crimes and Other Legislation Amendment (Omnibus) Act 2023* commences. | 13 March 2024  (paragraph (b) applies) |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Witness Protection Act 1994*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Witness Protection Regulations 2018

1 After section 5

Insert:

5A Meaning of *eligible national security clearance*

For the purposes of the definition of ***eligible national security clearance*** in section 3 of the Act, a security clearance at one of the following levels is prescribed:

(a) Negative Vetting Level 1;

(b) Negative Vetting Level 2;

(c) Positive Vetting.