4. **CSEC** are able to make use of unselected (comment: do we need to define "selected" and "unselected" and "unintentional" in the context of this section. As I

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

SECRET//20320108

SECRET//20320108

<File Reference number>

recall, it was important that we all understand what we mean by such terms) metadata for developing their capability. However, bulk, unselected metadata presents too high a risk to share with second parties at this time, because of the requirement to ensure that the identities of Canadians or persons in Canada are minimised, but re-evaluation of this stance is ongoing .

5. **DSD** can share bulk, unselected, un-minimised metadata as long as there is no intent to target an Australian national – unintentional collection is not viewed as a significant issue. However, if a 'pattern of life' search detects an Australian then there would be a need to contact DSD and ask them to obtain a ministerial warrant to continue.

12. Consideration was given as to whether any types of data were prohibited, for example medical, legal, religious or restricted business information, which may be regarded as an intrusion of privacy. Given the nascent state of many of these data types then no, or limited, precedents have been set with respect to proportionality or propriety, or whether different legal considerations applies to the "ownership" of this data compared with the communications data that we were more accustomed to handle. It was agreed that the conference should not seek to set any automatic limitations, but any such difficult cases would have to be considered by "owning" agency on a case-by-case basis.

48. DSD do not share SIGINT metadata outside COMINT channels as there is no expectation on them to do so. There is pressure to provide survey work to the military, and in future DSD may be required to release SRI at non-codeword levels. ASIO and Australian Federal Police are currently reviewing how SIGINT information can be used by non-intelligence agencies.