



**Inquiry into the execution of search warrants by the
Australian Federal Police No. 4**

TERMS OF REFERENCE

1. That the Privileges Committee further inquire into and report on the status of documents and other things the subject of claims of parliamentary privilege arising from the execution of various search warrants by the Australian Federal Police (AFP) issued on 25 June and 23 July 2020 on Mr John Zhang, then staffer of the Honourable Shaoquett Moselmane and any incidental documents of Mr Moselmane relating to the investigation of Mr Zhang, as delivered to the Acting Clerk by the AFP on Friday 3 February 2023 .
2. That the committee recommend to the House which of the disputed material falls within the scope of proceedings in Parliament by no later than 5:00 pm on 2 March 2023.
3. That the committee, for the purposes of making its determination, have access to the relevant indexes of documents and other things in dispute prepared by the AFP and that the committee seek submissions from the Clerk of the Parliaments, Mr Zhang, Mr Moselmane and the AFP regarding the claims of privilege.
4. That, in recommending which documents are privileged, the committee apply the test used in the determination of the matters involving documents seized by the Independent Commission Against Corruption from the Honourable Peter Breen in 2003 and 2004, as amended by the Senate Privileges Committee in its Report 164, dated March 2017, entitled “Search warrants and the Senate”.
5. That, if a recommendation cannot be made on the basis of the index and submissions received, the committee be given access to the privileged material held in the custody of the Acting Clerk of the Parliaments.

Committee membership

Hon Peter Primrose MLC	Australian Labor Party	<i>(Chair)</i>
Revd the Hon Fred Nile MLC	Christian Democratic Party	<i>(Deputy Chair)</i>
Hon Greg Donnelly MLC	Australian Labor Party	
Ms Cate Faehrmann MLC	The Greens	
Hon Wes Fang MLC	The Nationals	
Hon Scott Farlow MLC	Liberal Party	
Hon Shayne Mallard MLC	Liberal Party	
Hon Taylor Martin MLC	Liberal Party	