

Western Australia

LEGISLATIVE ASSEMBLY

**Telecommunications (Interception)  
Western Australia Amendment Bill 1999**

**A Bill for**

**An Act to amend the *Telecommunications (Interception) Western Australia Act 1996* and for related purposes.**

The Parliament of Western Australia enacts as follows:

**1. Short title**

This Act may be cited as the *Telecommunications (Interception) Western Australia Amendment Act 1999*.

s. 2

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**2. Commencement**

This Act comes into operation on a day fixed by proclamation.

**3. The Act amended**

5 Except as indicated in section 11, the amendments in this Act  
are to the *Telecommunications (Interception) Western Australia  
Act 1996*\*.

[\* *Act No. 44 of 1996.*]

**4. Long title amended**

10 The long title is amended by deleting “**Police Force to be  
declared an agency**” and inserting instead —

“

**Anti-Corruption Commission and the Police Force  
to be declared agencies**

”.

15 **5. Section 3 amended**

Section 3(1) is amended as follows:

(a) in the definition of “agency”, by inserting after  
paragraph (b) the following paragraph —

“ (ba) the Anti-Corruption Commission; ”;

20 (b) after the definition of “agency”, by inserting the  
following definition —

“

**“Anti-Corruption Commission”** means the  
Anti-Corruption Commission established by  
section 5 of the *Anti-Corruption Commission  
Act 1988*;

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”;

- (c) by deleting the definitions of “certifying officer” and “chief officer” and inserting the following definitions instead —

“

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“**certifying officer**” means —

- (a) in relation to the Anti-Corruption Commission, a person appointed and holding office as a member of that Commission under section 5(3) of the *Anti-Corruption Commission Act 1988*; or
- (b) in relation to the Police Force, the Commissioner of Police or a Deputy Commissioner of Police;

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“**chief officer**” means —

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- (a) in relation to the Anti-Corruption Commission, the person appointed and holding office as a member of that Commission under section 5(3)(a) of the *Anti-Corruption Commission Act 1988*; or
- (b) in relation to the Police Force, the Commissioner of Police;

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”;

- (d) in the definition of “eligible authority” after “means”, by inserting —

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“ the Anti-Corruption Commission or ”;

- (e) by deleting the definition of “officer” and inserting the following definition instead —

“

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“**officer**” means —

- (a) in relation to the Anti-Corruption Commission, a person appointed under

**s. 6**

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section 6(1) of the *Anti-Corruption Commission Act 1988*; or

- (b) in relation to the Police Force, a member of the Police Force;

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”;

- (f) by inserting after the definition of “principal inspector” the following definition —

“

**“responsible Minister”** means —

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- (a) in relation to the Anti-Corruption Commission, the Attorney General; or  
(b) in relation to the Police Force, the Minister;

”.

**6. Section 6 amended**

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After section 6(2) the following subsection is inserted —

“

- (3) Nothing in any other law prevents the chief officer of an eligible authority from giving to the responsible Minister anything the chief officer is required by this section to give to that Minister.

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”.

**7. Section 10 amended**

- (1) Section 10(1) is repealed.  
(2) Section 10(2) is amended by deleting “beginning on or after 1 July 1997”.

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**8. Section 11 amended**

Section 11(1) is repealed.

**9. Various amendments as to “eligible authority”**

(1) The provisions mentioned in the Table to this subsection are amended by deleting “the eligible authority” and inserting instead —

5 “ an eligible authority ”.

Table

|              |                  |
|--------------|------------------|
| section 4    | section 11(2)    |
| section 5(1) | section 13(2)    |
| section 5(2) | section 14(1)    |
| section 6(1) | section 14(4)(a) |
| section 7(a) | section 15(2)    |
| section 8(1) | section 15(3)    |
| section 8(2) | section 16(b)    |

(2) The provisions mentioned in the Table to this subsection are amended by deleting “the eligible authority’s” and inserting instead —

10 “ an eligible authority’s ”.

Table

|               |               |
|---------------|---------------|
| section 9(a)  | section 12    |
| section 10(2) | section 13(1) |
| section 10(3) | section 16(a) |

**10. Various amendments as to “responsible Minister”**

The provisions mentioned in the Table to this section are amended by deleting “Minister” in each place where it occurs (except in the expression “Commonwealth Minister”) and inserting instead —

15 “ responsible Minister ”.

**s. 11**

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Table

|                         |                             |
|-------------------------|-----------------------------|
| section 6(1)            | section 11(3) (in 2 places) |
| section 7 (in 2 places) | section 11(4)               |
| section 9(b)            | section 18(b)               |
| section 11(2)           | section 21 (in 2 places)    |

**11. Consequential amendment of *Anti-Corruption Commission Act 1988***

5 After section 52(2)(b) of the *Anti-Corruption Commission Act 1988*\* the following paragraph is inserted —

“

(ba) for the purposes of compliance with the  
*Telecommunications (Interception) Western  
Australia Act 1996*;

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”.

[\* Reprinted as at 1 November 1996.]

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