



Annual Report

Surveillance Devices Act 1998

2020-2021

INTRODUCTION

The *Surveillance Devices Act 1998* (s. 43(1a)) requires the Commission to furnish to the Attorney-General, as soon as practicable after 30 June, but in any event not later than 31 August, in each year, a report in respect of the year ending 30 June, containing information relating to:

- (a) *applications for warrants and extensions of warrants, including the number of such applications and the orders made in respect of such applications;*
- (b) *applications for emergency authorisations, including the number of such applications and the authorisations issued in respect of such applications; and*
- (c) *such other matters relating to the use of surveillance devices and the administration of this Act as the Attorney General may direct.*

The *Surveillance Devices Regulations 1999* (regulation 8) prescribe further requirements in relation to the information to be provided in the annual report concerning the warrants and extensions reported under the Act (s. 43). This includes the number of such applications that were:

- (a) *withdrawn;*
- (b) *made by the applicant on behalf of another law enforcement officer; and*
- (c) *made by means other than filing a written application at the court.*

Additionally, the SD Regulations (regulation 8(2)) prescribe the inclusion of the number of applications for emergency authorisations that were withdrawn.

The Act (s. 43(4)) requires that the Minister cause this report to be laid before each House of Parliament as soon as practicable.

Accordingly, the Commission provides this report to the Attorney-General containing information concerning its applications and authorisations for the use of surveillance device warrants under the Act for the year ending 30 June 2021.

COMMISSION SURVEILLANCE DEVICES WARRANTS

The following table addresses the requirements specified in the *Surveillance Devices Act 1998* (ss. 43(1a)) and the *Surveillance Devices Regulations 1999* (regulation 8).

WARRANT APPLICATIONS, AUTHORISATIONS AND WITHDRAWALS

Applications for warrants	11
Warrants issued	11
Warrant applications withdrawn	0
Applications made on behalf of another law enforcement officer	0
Applications made by means other than filing out a written application at the court	0
Applications for warrant extensions	5
Warrant extension authorisations issued	5
Warrant extension applications withdrawn	0
Applications made on behalf of another law enforcement officer	0
Applications made by means other than filing out a written application at the court	0
Applications for emergency authorisations	0
Emergency authorisations issued	0
Applications for emergency authorisations withdrawn	0

The Commission has not received any directions from the Attorney-General, pursuant to the Act (s. 43(1a)(c)) in regard to any other matters relating to the use of surveillance devices and the administration of the Act.

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