

1988

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

CRIMES LEGISLATION AMENDMENT BILL (No. 2) 1988

SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Amendments to be moved by the Government)

(Circulated by the authority of the Honourable Lionel Bowen MP  
Deputy Prime Minister and Attorney-General)



## GENERAL OUTLINE

The amendments to be moved by the Government insert new clauses in Part VI of the Bill, which provides for amendments of the Telecommunications (Interception) Act 1979 (the Principal Act). The amendments will allow information obtained as a result of lawful interceptions to be passed to the National Crime Authority for a purpose connected with its investigation of serious offences.

## NOTES ON CLAUSES

### Clause 25A - Lawfully obtained information

Clause 25A inserts a new paragraph 6E(2)(c) in the Principal Act. This new provision is consequential on new clause 27 and it expands the definition in section 6E of lawfully obtained information that was originally obtained by an agency by including information communicated to the National Crime Authority in accordance with the proposed amendment to section 65A appearing in clause 27.

### Clause 27 - Commission may communicate to Australian Federal Police or Authority

Clause 27 amends section 65A of the Principal Act to allow an officer of Telecom to give to an officer of the National Crime Authority, in connection with the investigation by the Authority of a serious offence (that is, a Class 1 offence or a Class 2 offence as defined in section 5 of the Principal Act), lawfully obtained information other than foreign intelligence information obtained under a warrant issued to the Australian Security Intelligence Organization pursuant to section 11A of the Principal Act. Section 65A currently provides for the communication of such information to the Australian Federal Police.