



1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

SENATE

TELECOMMUNICATIONS (INTERCEPTION) AMENDMENT BILL 1993

SUPPLEMENTARY EXPLANATORY MEMORANDUM

(Circulated by authority of the
Attorney-General,
the Honourable Michael Lavarch, MP)

Amendment to be moved on behalf of the Government

This amendment corrects a technical defect in section 7 of the Act as it is proposed to be amended by the Bill.

Proposed sub-section (6) requires an officer of the agency to seek a Part VI warrant as soon as practicable after the doing of an act in relation to a communication under sub-section (4) or sub-section (5). However, in some cases the act concerned will not amount to a class 2 offence (eg. threats to kill in some jurisdictions and suicide).

To overcome the problem the amendments provide that where the act does not already constitute a class 1 offence, it shall be taken to constitute a class 2 offence for the purpose of attracting the warranting provisions.



