



**SURVEILLANCE DEVICES ACT, 1998**  
**ANNUAL REPORT - 2000/2001**

**INTRODUCTION**

Part 7 of the *Surveillance Devices Act 1998* requires the Chairman of the Anti-Corruption Commission, as soon as practicable after 30 June, but in any event not later than 31 August in each year, to furnish to the Attorney General a report on behalf of the Anti-Corruption Commission which provides details concerning the applications for surveillance device warrants and surveillance device emergency authorizations.

The Attorney General is required to lay this report before each House of Parliament as soon as practicable.

The statistics provided relate only to the period 1 July 2000 to 30 June 2001, the period for which the Act has been in force.

The following extracts from the Surveillance Devices Act 1998 and the Surveillance Devices Regulations 1999 relate to annual reports.

**Section 43 Annual reports**

43. (1) The Commissioner of Police must, as soon as practicable after 30 June, but in any event not later than 31 August, in each year, furnish to the Minister a report on behalf of the police force of the State in respect of the year ending on that 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 authorizations, including the number of such applications and the authorizations 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 Minister may direct.



## Surveillance Devices Act, 1998

### Annual Report 2000/2001

(2) The Chairman of the Anti-Corruption Commission must, as soon as practicable after 30 June, but in any event not later than 31 August, in each year, furnish to the Attorney General a report on behalf of the Anti-Corruption Commission in respect of the year ending on that 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 authorizations, including the number of such applications and the authorizations 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.

(3) The Chairperson of the National Crime Authority must, as soon as practicable after 30 June, but in any event not later than 31 August, in each year, furnish to the Minister a report on behalf of the National Crime Authority in respect of the year ending on that 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 authorizations, including the number of such applications and the authorizations 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 Minister may direct.

(4) The Minister or the Attorney General, as the case requires, shall cause a report furnished by the Commissioner of Police, the Chairman of the Anti-Corruption Commission or the Chairperson of the National Crime Authority under this section to be laid before each House of Parliament as soon as practicable.

### **Regulation 8 Annual reports**

8. (1) The information relating to applications for warrants and extensions of warrants required by section 43 of the Act to be contained in an annual report is to include 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.



**INFORMATION REQUIRED UNDER SECTION 43 OF THE SURVEILLANCE DEVICES ACT 1998 AND REGULATION 8 OF THE SURVEILLANCE DEVICES REGULATIONS 1999**

**Section 43(2) and Regulation 8: Applications for surveillance device warrants**

Pursuant to section 43(2)(a) of the Act and Regulation 8 of the Regulations, the report must set out the relevant statistics about applications for warrants and extensions of warrants, including the number of such applications and the orders made in respect of such applications.

Responses 1 to 5 in the table below relate to the relevant statistics for applications for warrants.

1. The number of applications for warrants that were made	<b>10</b>
2. The number of warrants that were issued on applications	<b>9</b>
3. The number of applications for warrants that were withdrawn	<b>1</b>
4. The number of applications for warrants that were made by the applicant on behalf of another law enforcement officer	<b>0</b>
5. The number of applications for warrants that were made by means other than filing a written application at the court	<b>0</b>



**Surveillance Devices Act, 1998**

**Annual Report 2000/2001**

**Section 43(2)(a) and Regulation 8: Applications for extensions of warrants**

Pursuant to section 43(2)(a) of the Act and Regulation 8 of the Regulations, the report must set out the relevant statistics for applications for extensions of warrants, including the number of such applications and the orders made in respect of such applications.

Responses 6 to 10 in the table below relate to the relevant statistics for applications for extensions of warrants.

6. The number of applications for extensions of warrants that were made	0
7. The number of warrants that were issued on applications for extensions	0
8. The number of applications for extension of warrants that were withdrawn	0
9. The number of applications for extensions of warrants that were made by the applicant on behalf of another law enforcement officer	0
10. The number of applications for extensions of warrants that were made by means other than filing a written application at the court	0



**Surveillance Devices Act, 1998**

**Annual Report 2000/2001**

**Section 43(2)(b) and Regulation 8: Applications for emergency authorizations**

Pursuant to section 43(2)(b) of the Act and Regulation 8 of the Regulations, the report must set out the relevant statistics about applications for emergency authorizations, including the number of such applications and the authorizations issued in respect of such applications, and the number of such applications for emergency authorizations that were withdrawn.

Responses 11 to 13 in the table below relate to the relevant statistics for emergency authorizations.

11. The number of applications for emergency authorizations that were made	0
12. The number of authorizations issued in respect of such applications	0
13. The number of applications for emergency authorizations that were withdrawn	0

Pursuant to section 43(2)(c) of the Act the Anti-Corruption Commission has not received any directions from the Attorney General for information about any other matters relating to the use of surveillance devices and the administration of the Act.

T.E. O' Connor QC  
Chairman

August, 2001