

Authorised Version No. 005
Surveillance Devices Regulations 2006

S.R. No. 73/2006

Authorised Version incorporating amendments as at
15 July 2013

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1 Objective

The objective of these Regulations is to prescribe matters for the purposes of the **Surveillance Devices Act 1999**.

2 Authorising provision

These Regulations are made under section 37A of the **Surveillance Devices Act 1999**.

3 Commencement

These Regulations come into operation on 1 July 2006.

4 Definitions

In these Regulations—

Chief Executive Officer means the person appointed under section 33 of the **Independent Broad-based Anti-corruption Commission Act 2011**;

Deputy Commissioner has the same meaning as it has in the **Independent Broad-based Anti-corruption Commission Act 2011**;

IBAC Officer has the same meaning as it has in the **Independent Broad-based Anti-corruption Commission Act 2011**.

Reg. 4 substituted by S.R. No. 9/2013 reg. 5.

Reg. 4 def. of *Chief Executive Officer* amended by S.R. No. 9/2013 reg. 8.

5 Corresponding laws

For the purposes of paragraph (b) of the definition of *corresponding law* in section 3(1) of the **Surveillance Devices Act 1999**, a law specified in column 2 of Schedule 1 of a jurisdiction specified opposite that law in column 1 of Schedule 1 is declared to be a law of that jurisdiction that corresponds to that Act.

6 Prescribed IBAC Officers

For the purposes of the definition of *prescribed IBAC Officer* in section 3(1) of the **Surveillance Devices Act 1999**, the following positions and classes of employees are prescribed—

- (a) the position of Commissioner;
- (b) the position of Deputy Commissioner;
- (c) the position of Chief Executive Officer;
- (d) IBAC Officers classified as Executive Officers;
- (e) IBAC Officers classified as non-executive employees Grade 4, 5 or 6 or as Senior Technical Specialists.

7 Relevant offence

For the purposes of paragraph (b) of the definition of *relevant offence* in section 3(1) of the **Surveillance Devices Act 1999**, an offence against a provision specified in column 2 of Schedule 2 of an Act specified opposite that provision in column 1 of Schedule 2 is a prescribed relevant offence.

Reg. 6
substituted by
S.R. No.
9/2013 reg. 6.

8 Senior officers of the IBAC

For the purposes of paragraph (da)(ii) of the definition of *senior officer* in section 3(1) of the **Surveillance Devices Act 1999**, the following positions and classes of employees are prescribed—

- (a) the position of Deputy Commissioner;
 - (b) the position of Chief Executive Officer;
 - (c) IBAC Officers classified as Executive Officers.
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Reg. 8
substituted by
S.R. No.
9/2013 reg. 7.

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Sch. 1

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SCHEDULES

SCHEDULE 1

Regulation 5

Sch. 1
amended by
S.R. No.
94/2013 reg. 4.

CORRESPONDING LAWS

<i>Column 1</i> <i>Jurisdiction</i>	<i>Column 2</i> <i>Corresponding law</i>
Australian Capital Territory	Crimes (Surveillance Devices) Act 2010
New South Wales	Surveillance Devices Act 2007
Northern Territory	Surveillance Devices Act
Queensland	Chapter 13 of the Police Powers and Responsibilities Act 2000
Tasmania	Police Powers (Surveillance Devices) Act 2006

SCHEDULE 2

Regulation 7

RELEVANT OFFENCES

<i>Column 1</i> <i>Act</i>	<i>Column 2</i> <i>Relevant offence provision</i>
Catchment and Land Protection Act 1994	Section 75(1), 75(2), 75(3) or 75(4).
Fisheries Act 1995	Section 36(1), 39(1), 39(2), 39(3), 40(1), 53(1), 53(4), 114(3), 116(1), 119A, 130(4), 130A(5) or 130B(6).
Flora and Fauna Guarantee Act 1988	Section 47(1) or 47(3).
Forests Act 1958	Section 96.
Heritage Act 1995	Section 110(1) or 134(1).
Police Regulation Act 1958	Section 127A(1) or 127A(2).
Royal Botanic Gardens Act 1991	Section 50A.
Wildlife Act 1975	Section 22(6), 41(1), 42(1), 44(1), 44(3), 45(1), 46(1), 47(1), 47D(1), 49(2), 50(1), 50(6), 51(1), 51(2), 52, 53, 54(1), 55, 56(1), 58(1), 58A, 58B, 60A(2), 76(1), 76(2) 76(2A), 76(3), 76(5), 77(1), 80, 83B or 83I.

ENDNOTES

1. General Information

The Surveillance Devices Regulations 2006, S.R. No. 73/2006 were made on 27 June 2006 by the Governor in Council under section 37A of the **Surveillance Devices Act 1999**, No. 21/1999 and came into operation on 1 July 2006: regulation 3.

The Surveillance Devices Regulations 2006 will sunset 10 years after the day of making on 27 June 2016 (see section 5 of the **Subordinate Legislation Act 1994**).

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Endnotes

2. Table of Amendments

This Version incorporates amendments made to the Surveillance Devices Regulations 2006 by statutory rules, subordinate instruments and Acts.

Surveillance Devices Amendment Regulations 2013, S.R. No. 9/2013

Date of Making: 5.2.13

Date of Commencement: Regs 5–7 on 10.2.13: reg. 3(1); reg. 8 on 11.2.13:
reg. 3(2)

Surveillance Devices Amendment (Corresponding Laws) Regulations 2013,
S.R. No. 94/2013

Date of Making: 2.7.13

Date of Commencement: 15.7.13: reg. 3

3. Explanatory Details

No entries at date of publication.