



Appendix D – Interception Agencies

The *Telecommunications (Interception and Access) Act 1997* (TIA Act) sets an exhaustive list of agencies that can apply for telecommunications interception warrants.

Commonwealth agencies are listed in the definition of ‘interception agency’ in the TIA Act, which enables them to apply for interception warrants.

State and Territory agencies are initially included within the definition of ‘eligible authority’, which enables them to receive lawfully intercepted information, but not apply for interception warrants. In order for the eligible authority to be declared an interception agency, the Attorney-General makes a declaration under s. 34 of the TIA Act. This can be done after the Attorney-General is satisfied that the preconditions for declaration, set out in s. 35 of the TIA Act are in place. These include that appropriate relevant State laws are in place. The agencies which can currently apply for interception warrants are:

- ASIO
- Australian Federal Police
- Australian Crime Commission
- Australian Commission for Law Enforcement Integrity
- Queensland Police Service
- Crime and Misconduct Commission (Queensland)
- New South Wales Police Force
- New South Wales Crime Commission
- Police Integrity Commission (New South Wales)

- Independent Commission Against Corruption (New South Wales)
- Victoria Police
- Office of Police Integrity (Victoria)
- Tasmania Police
- South Australia Police
- Western Australia Police
- Corruption and Crime Commission (Western Australia), and
- Northern Territory Police Force