

APPENDIX 1

Sections of *Australian Crime Commission Act 2002* and *Australian Federal Police Act 1979*

Australian Crime Commission Act 2002

Section 7A

Functions of the ACC

The ACC has the following functions:

- (a) to collect, correlate, analyse and disseminate criminal information and intelligence and to maintain a national database of that information and intelligence;
- (b) to undertake, when authorised by the Board, intelligence operations;
- (c) to investigate, when authorised by the Board, matters relating to federally relevant criminal activity;
- (d) to provide reports to the Board on the outcomes of those operations or investigations;
- (e) to provide strategic criminal intelligence assessments, and any other criminal information and intelligence, to the Board;
- (f) to provide advice to the Board on national criminal intelligence priorities;
- (g) such other functions as are conferred on the ACC by other provisions of this Act or by any other Act.

'Federally relevant criminal activity' is defined in section 4 of the Act and includes cybercrime as a serious and organised crime offence.

- (a) a relevant criminal activity, where the serious and organised crime is an offence against a law of the Commonwealth or of a Territory; or
- (b) a relevant criminal activity, where the serious and organised crime:
 - (i) is an offence against a law of a State; and
 - (ii) has a federal aspect.

Section 4 also defines serious and organised crime as an offence:

(a) that involves 2 or more offenders and substantial planning and organisation; and

(b) that involves, or is of a kind that ordinarily involves, the use of sophisticated methods and techniques; and

(c) that is committed, or is of a kind that is ordinarily committed, in conjunction with other offences of a like kind; and

(d) that is a serious offence within the meaning of the Proceeds of Crime Act 2002, an offence of a kind prescribed by the regulations or an offence that involves any of the following:

...

(xix) cybercrime;

Australian Federal Police Act 1979

Section 8

Functions

1) The functions of the Australian Federal Police are:

...

(b) the provision of police services in relation to:

(i) laws of the Commonwealth;

(ii) property of the Commonwealth (including Commonwealth places) and property of authorities of the Commonwealth; and

(iii) the safeguarding of Commonwealth interests;

...

(c) to do anything incidental or conducive to the performance of the foregoing functions.