

WESTERN AUSTRALIA

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**LISTENING DEVICES  
AMENDMENT ACT 1996**

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**No. 31 of 1996**

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**AN ACT to amend the *Listening Devices Act 1978*.**

*[Assented to 6 September 1996.]*

The Parliament of Western Australia enacts as follows:

**Short title**

**1.** This Act may be cited as the *Listening Devices Amendment Act 1996*.

**Commencement**

2. This Act comes into operation on such day as is fixed by proclamation.

**Principal Act**

3. In this Act the *Listening Devices Act 1978\** is referred to as the principal Act.

[\* *Act No. 26 of 1978.*

*For subsequent amendments see 1995 Index to Legislation of Western Australia, Table 1, p. 128.]*

**Section 3 amended**

4. Section 3 of the principal Act is amended by inserting before the definition of “listening device” the following definitions —

“

“**A-CC**” means the Anti-Corruption Commission established under the *Anti-Corruption Commission Act 1988*;

“**A-CC officer**” means an officer or other employee appointed under section 6 (1) of the *Anti-Corruption Commission Act 1988*;

”.

**Section 4 amended**

5. (1) After section 4 (3) (a) (i) of the principal Act the following subparagraph is inserted —

“

(ia) an A-CC officer acting in the course of the officer’s duty if the officer has been authorized in writing to use a listening device by a member of the A-CC;

”.

(2) Section 4 (3) (b) of the principal Act is amended by inserting before “officer” the following —

“ A-CC officer, ”.

**Section 5A inserted**

**6.** After section 5 of the principal Act the following section is inserted —

“

**A-CC to report to Attorney General on request**

**5A.** (1) Subject to subsection (2), the A-CC shall furnish to the Attorney General on request a report containing such particulars as the Attorney General requires of the use of any listening device by any A-CC officer to overhear, record, monitor or listen to any private conversation to which the A-CC officer was not a party.

(2) A report under this section shall not disclose the details of information obtained by any particular use of a listening device.

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