



Northern Territory Government
Department of Justice

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Legal Services

Solicitor for the Northern Territory

19 October 2005

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The Secretary
House of Representatives
Standing Committee on Legal
and Constitutional Affairs
Parliament House
CANBERRA ACT 2600

Dear Secretary

INQUIRY INTO TECHNOLOGICAL PROTECTION AND MEASURES EXCEPTIONS

With apologies for the fact that this letter will arrive after the time by which comments were sought in respect of this inquiry I draw the following points to the attention of the Committee:

- it is fairly plain that the proposed amendment has the potential to seriously weaken over time the privileges given to governments by section 183 of the *Copyright Act 1968*. However, as that policy decision has already been taken the issue, from the narrow perspective of governments is that of far the weakening should go;
- various law enforcement agencies have noted that it should be kept in mind that the exception for law enforcement should extend to Territory tax agencies and other lower level law enforcers such as consumer affairs agencies and the like; and
- a supervisor of law enforcement agencies has noted that the supervisor should also have the benefit of the exception – for example, the Ombudsman in respect of Northern Territory Police.

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These comments are made as a result of a survey of views of most Northern Territory government agencies. The comments do not purport to reflect the collective view of the Northern Territory Government – time has precluded any attempt to identify such a view.

Yours faithfully
**SOLICITOR FOR THE
NORTHERN TERRITORY**

ROBERT BRADSHAW