Telecommunications (Interception and Access) Act 1979 Access to Stored Communications Access to Interception Access to Data (real time access to content) (acess to historical content) (access to non-content) General prohibition against access to stored communications (a communication is not in its General prohibition against interception: listening General prohibition for agencies to access, use or Privacy to or recording a communication in its passage passage over the telecommunications system disclose telecommunications data from a underpinnings over the telecommunications system when it is delivered to or accessible by the telecommunications carrier sender or intended recipient) **Exceptions: Exceptions:** Exceptions: Interception warrants Interception warrants (for interception • Internal authorisation (for historical Network administration (network) agencies) access) maintenance and protection, subject • Internal authorisation at higher Maintain current lawful access to **secondary disclosure** for professional arrangement (eg search warrant, internal thresholds (for prospective access) Access regimes standards) notices, consent) Stored communications warrant served • Authorised testing of new technologies on CSP General 7 year penalty threshold General 3 year penalty threshold 3 year penalty threshold for prospective access General prohibition against disclosure of General prohibition against disclosure of General prohibition against disclosure of accessed information accessed information accessed information Limited exceptions: Limited exceptions: Limited exceptions: Secondary For the purposes of an agency's investigation Dealing for purposes of investigation in s.139 Where the disclosure is reasonably necessary disclosure for the enforcement of the criminal law, law Includes certain investigations, decisions whether imposing a pecuniary penalty or for the the to begin a proceeding or a proceeding protection of the public revenue. Exempt proceeding To other agencies for purposes limited by s.68 Flexible access Overlap: interception warrant gives access to interception, stored communications and call associated data Overlap: stored communications authorisation gives access to stored comms and CAD from CSP Access only to data for specific purpose