



# **Telecommunications (Interception and Access) Amendment (Form of Warrants) Regulations 2019**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 21 February 2019

Peter Cosgrove  
Governor-General

By His Excellency's Command

Peter Dutton  
Minister for Home Affairs

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## 1 Name

This instrument is the *Telecommunications (Interception and Access) Amendment (Form of Warrants) Regulations 2019*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	22 February 2019

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Telecommunications (Interception and Access) Act 1979*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Telecommunications (Interception and Access) Regulations 2017*

#### 1 Paragraphs 8(a) and (b)

Omit “section 46”, substitute “subsection 46(1)”.

#### 2 After paragraph 8(b)

Insert:

- (ba) for a control order warrant issued under subsection 46(4) of the Act to which subparagraph 46(4)(d)(i) of the Act applies—Form 2A in Schedule 1;
- (bb) for a control order warrant issued under subsection 46(4) of the Act to which subparagraph 46(4)(d)(ii) of the Act applies—Form 2B in Schedule 1;

#### 3 Paragraphs 8(c) and (d)

Omit “section 46A”, substitute “subsection 46A(1)”.

#### 4 Paragraph 8(e)

Repeal the paragraph, substitute:

- (e) for a control order warrant issued under subsection 46A(2A) of the Act to which subparagraph 46A(2A)(e)(i) of the Act applies—Form 4A in Schedule 1;
- (f) for a control order warrant issued under subsection 46A(2A) of the Act to which subparagraph 46A(2A)(e)(ii) of the Act applies—Form 4B in Schedule 1;
- (g) for a warrant issued under section 48 of the Act in circumstances mentioned in subsection 46(1) of the Act—Form 5 in Schedule 1;
- (h) for a control order warrant issued under section 48 of the Act in circumstances mentioned in subsection 46(4) of the Act—Form 5A in Schedule 1.

#### 5 After Form 2 in Schedule 1

Insert:

### **Form 2A—Telecommunications service control order warrant**

Commonwealth of Australia

*Telecommunications (Interception and Access) Act 1979*

TELECOMMUNICATIONS SERVICE CONTROL ORDER WARRANT

<i>Telecommunications service</i>	<i>[unique number assigned to the service; any other known unique identifying factors]</i>
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<i>Particular *person/*persons</i>	<i>[full known *name/*names, other known names, other known identifying information (e.g. date of birth)]</i>
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*Applicant agency**[name]*

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**1 Authorisation**

- (1) I, *[name]*, \*an eligible Judge/\*a nominated AAT member within the meaning of the *Telecommunications (Interception and Access) Act 1979* (the **Act**), acting under section 46 of the Act, authorise interceptions of communications made to or from the telecommunications service mentioned above.
- (2) I am satisfied, on the basis of the information given to me by the applicant agency, that:
  - (a) Division 3 of Part 2-5 of the Act has been complied with in relation to the application for this warrant; and
  - \*(b) because of urgent circumstances, it was necessary to make the application by telephone; and
  - (c) there are reasonable grounds for suspecting that the particular \*person/\*persons mentioned above \*is/\*are using, or \*is/\*are likely to use, the service; and
  - (d) \*a control order is/\*control orders are in force in relation to \*the particular person/\*each of the particular persons mentioned above; and
  - (e) information that would be likely to be obtained by intercepting under a warrant communications made to or from the service would be likely to substantially assist in connection with:
    - \*(i) the protection of the public from a terrorist act; or
    - \*(ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - \*(iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - \*(iv) determining whether the control \*order/\*orders, or any succeeding control \*order/\*orders, \*has/\*have been, or \*is/\*are being, complied with.
- (3) I am satisfied, on the basis of the information given to me by the applicant agency, that the warrant should be issued having regard to the following matters only:
  - (a) how much the privacy of any person or persons would be likely to be interfered with by intercepting under a warrant communications made to or from the service;
  - (b) how much the information referred to in paragraph (2)(e) would be likely to assist in connection with:
    - (i) the protection of the public from a terrorist act; or
    - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - (iv) determining whether the control \*order/\*orders, or any succeeding control \*order/\*orders, \*has/\*have been, or \*is/\*are being, complied with;
  - (c) to what extent methods for:
    - (i) the protection of the public from a terrorist act; or



- <sup>\*</sup>(h) *[if the applicant agency is an interception agency of Victoria]* any submissions made by the Victorian PIM under section 44A of the Act to me;
- <sup>\*</sup>(i) *[if the applicant agency is an interception agency of Queensland]* any submissions made by the Queensland PIM under section 45 of the Act to me.

- (4) This warrant is issued on the basis of the control <sup>\*</sup>order/<sup>\*</sup>orders mentioned in paragraph (2)(d), details of which are specified in the following table.

<b>Control <sup>*</sup>order/<sup>*</sup>orders</b>		
<b>The name of the person in relation to whom the control order was made</b>	<b>The date the control order was made</b>	<b>Whether the control order is an interim control order or a confirmed control order</b>
<i>[the name of the person in relation to whom the control order was made]</i>	<i>[the date the control order was made]</i>	<sup>*</sup> interim control order/ <sup>*</sup> confirmed control order

*[If the warrant is issued on the basis of more than one control order, include one item in the table for each control order.]*

## 2 Persons who may exercise this authority

Under subsection 55(1) of the Act, the authority conferred by this warrant may be exercised by a person in relation to whom an approval under subsection 55(3) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

## 3 Period for which warrant is in force

- (1) Under section 54 of the Act, this warrant comes into force when it is issued.
- (2) This warrant is in force until *[a date that is not more than 90 days away]*.

## <sup>\*</sup>4 Conditions

Interceptions under this warrant are subject to the following conditions:  
*[details of conditions]*.

## <sup>\*</sup>5 Restrictions

Interceptions under this warrant are subject to the following restrictions:  
*[details of restrictions]*.

Dated

.....  
<sup>\*</sup>Judge/<sup>\*</sup>nominated AAT member

<sup>\*</sup> Omit if not applicable

# **Form 2B—Telecommunications service control order warrant—B-party**

Commonwealth of Australia

*Telecommunications (Interception and Access) Act 1979*

## TELECOMMUNICATIONS SERVICE CONTROL ORDER WARRANT—B-PARTY

<i>Telecommunications service</i>	[unique number assigned to the service; any other known unique identifying factors]
<i>Particular *person/*persons</i>	[full known *name/*names, other known names, other known identifying information (e.g. date of birth)]
<i>Applicant agency</i>	[name]

## 1 Authorisation

- (1) I, [name], \*an eligible Judge/\*a nominated AAT member within the meaning of the *Telecommunications (Interception and Access) Act 1979* (the **Act**), acting under section 46 of the Act, authorise interceptions of communications made to or from the telecommunications service mentioned above.
- (2) I am satisfied, on the basis of the information given to me by the applicant agency, that:
  - (a) Division 3 of Part 2-5 of the Act has been complied with in relation to the application for this warrant; and
  - \* (b) because of urgent circumstances, it was necessary to make the application by telephone; and
  - (c) there are reasonable grounds for suspecting that the particular \*person/\*persons mentioned above \*is/\*are using, or \*is/\*are likely to use, the service; and
  - (d) a control order is in force in relation to another person, and the particular \*person/\*persons mentioned above \*is/\*are likely to communicate with the other person using the service; and
  - (e) information that would be likely to be obtained by intercepting under a warrant communications made to or from the service would be likely to substantially assist in connection with:
    - \* (i) the protection of the public from a terrorist act; or
    - \* (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - \* (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - \* (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with.
- (3) I am satisfied, on the basis of the information given to me by the applicant agency, that the warrant should be issued having regard to the following matters only:
  - (a) how much the privacy of any person or persons would be likely to be interfered with by intercepting under a warrant communications made to or from the service;
  - (b) how much the information referred to in paragraph (2)(e) would be likely to assist in connection with:
    - (i) the protection of the public from a terrorist act; or
    - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or

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- (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
  - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
  - (c) to what extent methods for:
    - (i) the protection of the public from a terrorist act; or
    - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
 that do not involve so intercepting communications have been used by, or are available to, the applicant agency;
  - (d) how much the use of such methods would be likely to assist in connection with:
    - (i) the protection of the public from a terrorist act; or
    - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
  - (e) how much the use of such methods would be likely to prejudice:
    - (i) the protection of the public from a terrorist act; or
    - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
 whether because of delay or for any other reason;
  - (f) whether intercepting under a warrant communications made to or from the service would be the method that is likely to have the least interference with any person's privacy;
  - (g) the possibility that the person in relation to whom the control order is in force:
    - (i) has engaged, is engaging, or will engage, in a terrorist act; or
    - (ii) has provided, is providing, or will provide, support for a terrorist act; or
    - (iii) has facilitated, is facilitating, or will facilitate, a terrorist act; or
    - (iv) has provided, is providing, or will provide, support for the engagement in a hostile activity in a foreign country; or
    - (v) has facilitated, is facilitating, or will facilitate, the engagement in a hostile activity in a foreign country; or
    - (vi) has contravened, is contravening, or will contravene, the control order; or
    - (vii) will contravene a succeeding control order;
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<sup>\*</sup>(h) *[if the applicant agency is an interception agency of Victoria]* any submissions made by the Victorian PIM under section 44A of the Act to me;

<sup>\*</sup>(i) *[if the applicant agency is an interception agency of Queensland]* any submissions made by the Queensland PIM under section 45 of the Act to me.

(4) I am satisfied that:

<sup>\*</sup>the applicant agency has exhausted all other practicable methods of identifying the telecommunications services used, or likely to be used, by the person to whom the control order relates.

<sup>\*</sup>interception of communications made to or from a telecommunications service used or likely to be used by the person to whom the control order relates would not otherwise be possible.

(5) This warrant is issued on the basis of the control order mentioned in paragraph (2)(d), details of which are specified in the following table.

<b>Control order</b>		
<b>The name of the person in relation to whom the control order was made</b>	<b>The date the control order was made</b>	<b>Whether the control order is an interim control order or a confirmed control order</b>
<i>[the name of the person in relation to whom the control order was made]</i>	<i>[the date the control order was made]</i>	<sup>*</sup> interim control order/ <sup>*</sup> confirmed control order

## 2 Persons who may exercise this authority

Under subsection 55(1) of the Act, the authority conferred by this warrant may be exercised by a person in relation to whom an approval under subsection 55(3) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

## 3 Period for which warrant is in force

(1) Under section 54 of the Act, this warrant comes into force when it is issued.

(2) This warrant is in force until *[a date that is not more than 45 days away]*.

## <sup>\*</sup>4 Conditions

Interceptions under this warrant are subject to the following conditions:  
*[details of conditions]*.

## <sup>\*</sup>5 Restrictions

Interceptions under this warrant are subject to the following restrictions:  
*[details of restrictions]*.

Dated

.....  
<sup>\*</sup>Judge/<sup>\*</sup>nominated AAT member

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\* Omit if not applicable

## 6 After Form 4 in Schedule 1

Insert:

### **Form 4A—Named person control order warrant— telecommunications services**

Commonwealth of Australia

*Telecommunications (Interception and Access) Act 1979*

NAMED PERSON CONTROL ORDER WARRANT — TELECOMMUNICATIONS  
SERVICES

<b>Particular person (named person)</b>	<i>[full known name, other known names, other known identifying information (e.g. date of birth)]</i>
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<b>Applicant agency</b>	<i>[name]</i>
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#### 1 Authorisation

- (1) I, *[name]*, \*an eligible Judge/\*a nominated AAT member within the meaning of the *Telecommunications (Interception and Access) Act 1979* (the **Act**), acting under section 46A of the Act, authorise interceptions of communications made to or from any telecommunications service that the named person mentioned above is using, or is likely to use.
- (2) I am satisfied, on the basis of the information given to me by the applicant agency, that:
  - (a) Division 3 of Part 2-5 of the Act has been complied with in relation to the application for this warrant; and
  - \* (b) because of urgent circumstances, it was necessary to make the application by telephone; and
  - (c) there are reasonable grounds for suspecting that the named person is using, or is likely to use, more than 1 telecommunications service; and
  - (d) a control order is in force in relation to the named person; and
  - (e) information that would be likely to be obtained by intercepting under a warrant communications made to or from any telecommunications service that the named person is using, or is likely to use, would be likely to substantially assist in connection with:
    - \* (i) the protection of the public from a terrorist act; or
    - \* (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - \* (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - \* (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with.
- (3) I am satisfied, on the basis of the information given to me by the applicant agency, that the warrant should be issued having regard to the following matters only:



- (ii) has provided, is providing, or will provide, support for a terrorist act;  
or
- (iii) has facilitated, is facilitating, or will facilitate, a terrorist act; or
- (iv) has provided, is providing, or will provide, support for the engagement in a hostile activity in a foreign country; or
- (v) has facilitated, is facilitating, or will facilitate, the engagement in a hostile activity in a foreign country; or
- (vi) has contravened, is contravening, or will contravene, the control order; or
- (vii) will contravene a succeeding control order;
- \* (h) *[if the applicant agency is an interception agency of Victoria]* any submissions made by the Victorian PIM under section 44A of the Act to me;
- \* (i) *[if the applicant agency is an interception agency of Queensland]* any submissions made by the Queensland PIM under section 45 of the Act to me.

- (4) This warrant is issued on the basis of the control order mentioned in paragraph (2)(d), details of which are specified in the following table.

<b>Control order</b>		
<b>The name of the person in relation to whom the control order was made</b>	<b>The date the control order was made</b>	<b>Whether the control order is an interim control order or a confirmed control order</b>
<i>[the name of the person in relation to whom the control order was made]</i>	<i>[the date the control order was made]</i>	*interim control order/*confirmed control order

## 2 Persons who may exercise this authority

Under subsection 55(1) of the Act, the authority conferred by this warrant may be exercised by a person in relation to whom an approval under subsection 55(3) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

## 3 Period for which warrant is in force

- (1) Under section 54 of the Act, this warrant comes into force when it is issued.
- (2) This warrant is in force until *[a date that is not more than 90 days away]*.

## \*4 Conditions

Interceptions under this warrant are subject to the following conditions:  
*[details of conditions]*.

## \*5 Restrictions

## **\*General**

Interceptions under this warrant are subject to the following restrictions:  
*[details of restrictions]*.

## **\*Excluded telecommunications services**

This warrant does not authorise the interception of communications made to or from the following telecommunications services:  
[*details and location of service(s)*].

Dated

.....  
\*Judge/\*nominated AAT member

\* Omit if not applicable

## Form 4B—Named person control order warrant— telecommunications devices

Commonwealth of Australia

*Telecommunications (Interception and Access) Act 1979*

NAMED PERSON CONTROL ORDER WARRANT — TELECOMMUNICATIONS  
DEVICES

<b>Particular person</b> <b>(named person)</b>	[ <i>full known name, other known names, other known identifying information (e.g. date of birth)</i> ]
<b>Particular telecommunications</b> <b>*device/*devices</b>	[ <i>For each telecommunication device, the unique number assigned to the device (if known) and other known unique identifying factors</i> ]
<b>Applicant agency</b>	[ <i>name</i> ]

### 1 Authorisation

- (1) I, [*name*], \*an eligible Judge/\*a nominated AAT member within the meaning of the *Telecommunications (Interception and Access) Act 1979* (the **Act**), acting under section 46A of the Act, authorise interceptions of communications made by means of the particular telecommunications \*device/\*devices that the named person mentioned above is using, or is likely to use.
- (2) I am satisfied, on the basis of the information given to me by the applicant agency, that:
  - (a) Division 3 of Part 2-5 of the Act has been complied with in relation to the application for this warrant; and
  - \* (b) because of urgent circumstances, it was necessary to make the application by telephone; and
  - (c) there are reasonable grounds for suspecting that the named person is using, or is likely to use, more than 1 telecommunications service; and
  - (d) a control order is in force in relation to the named person; and
  - (e) information that would be likely to be obtained by intercepting under a warrant communications made by means of the particular

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telecommunications \*device/\*devices that the named person is using, or is likely to use, would be likely to substantially assist in connection with:

- \* (i) the protection of the public from a terrorist act; or
- \* (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
- \* (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
- \* (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with.

(3) I am satisfied, on the basis of the information given to me by the applicant agency, that the warrant should be issued having regard to the following matters only:

- (a) how much the privacy of any person or persons would be likely to be interfered with by intercepting under a warrant communications made by means of the particular telecommunications \*device/\*devices used, or likely to be used, by the named person;
- (b) how much the information referred to in paragraph (2)(e) would be likely to assist in connection with:
  - (i) the protection of the public from a terrorist act; or
  - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
  - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
  - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
- (c) to what extent methods (including the use of a warrant issued under section 46 of the Act) for:
  - (i) the protection of the public from a terrorist act; or
  - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
  - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
  - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
 that do not involve the use of a warrant issued under section 46A of the Act in relation to the named person have been used by, or are available to, the applicant agency;
- (d) how much the use of such methods would be likely to assist in connection with:
  - (i) the protection of the public from a terrorist act; or
  - (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
  - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
  - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with;
- (e) how much the use of such methods would be likely to prejudice:
  - (i) the protection of the public from a terrorist act; or

- (ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
  - (iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
  - (iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with; whether because of delay or for any other reason;
  - (f) whether intercepting under a warrant communications referred to in paragraph (a) would be the method that is likely to have the least interference with any person's privacy;
  - (g) the possibility that the named person:
    - (i) has engaged, is engaging, or will engage, in a terrorist act; or
    - (ii) has provided, is providing, or will provide, support for a terrorist act; or
    - (iii) has facilitated, is facilitating, or will facilitate, a terrorist act; or
    - (iv) has provided, is providing, or will provide, support for the engagement in a hostile activity in a foreign country; or
    - (v) has facilitated, is facilitating, or will facilitate, the engagement in a hostile activity in a foreign country; or
    - (vi) has contravened, is contravening, or will contravene, the control order; or
    - (vii) will contravene a succeeding control order;
  - \* (h) *[if the applicant agency is an interception agency of Victoria]* any submissions made by the Victorian PIM under section 44A of the Act to me;
  - \* (i) *[if the applicant agency is an interception agency of Queensland]* any submissions made by the Queensland PIM under section 45 of the Act to me.
- (4) I am satisfied that:
- \*there are no other practicable methods available to the applicant agency at the time of making the application to identify the telecommunications services used, or likely to be used, by the named person.
  - \*interception of communications made to or from a telecommunications service used, or likely to be used, by the named person would not otherwise be practicable.
- (5) This warrant is issued on the basis of the control order mentioned in paragraph (2)(d), details of which are specified in the following table.

<b>Control order</b>		
<b>The name of the person in relation to whom the control order was made</b>	<b>The date the control order was made</b>	<b>Whether the control order is an interim control order or a confirmed control order</b>
<i>[the name of the person in relation to whom the control order was made]</i>	<i>[the date the control order was made]</i>	*interim control order/*confirmed control order

**2 Persons who may exercise this authority**

Under subsection 55(1) of the Act, the authority conferred by this warrant may be exercised by a person in relation to whom an approval under subsection 55(3) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

**3 Period for which warrant is in force**

(1) Under section 54 of the Act, this warrant comes into force when it is issued.

(2) This warrant is in force until [*a date that is not more than 90 days away*].

**\*4 Conditions**

Interceptions under this warrant are subject to the following conditions:  
[*details of conditions*].

**\*5 Restrictions**

Interceptions under this warrant are subject to the following restrictions:  
[*details of restrictions*].

Dated

.....  
\*Judge/\*nominated AAT member

\* Omit if not applicable

**7 After Form 5 in Schedule 1**

Insert:

## **Form 5A—Control order warrant for entry on premises and interception of communications**

Commonwealth of Australia

*Telecommunications (Interception and Access) Act 1979*

**CONTROL ORDER WARRANT FOR ENTRY ON PREMISES AND INTERCEPTION OF COMMUNICATIONS**

<b>Premises</b>	[ <i>description and location of premises, including business name, operating name, other known names and other known identifying information</i> ]
<b>Telecommunications service</b>	[ <i>number assigned to the service; any other known unique identifying factors</i> ]
<b>Particular person</b>	[ <i>full known name, other known names, other known identifying information (e.g. date of birth)</i> ]
<b>Applicant agency</b>	[ <i>name</i> ]

1 Authorisation

- (1) I, [name], \*an eligible Judge/\*a nominated AAT member within the meaning of the *Telecommunications (Interception and Access) Act 1979* (the **Act**), acting under section 48 of the Act, authorise:
- (a) entry on the premises mentioned above in order to install, maintain, use or recover equipment or a line used in the interception of communications being made to or from the telecommunications service mentioned above; and
  - (b) interceptions of such communications by the use of that equipment or line.
- (2) This warrant authorises:
- (a) entry on the premises:
    - (i) \*at any time of the day or night/\*during the hours of [*specify hours during which entry on the premises is authorised*], for the purposes mentioned in paragraph (1)(a); and
    - \*(ii) without permission first being sought or demand first being made; and
  - \*(b) the following measures, that I am satisfied are necessary and reasonable for those purposes:  
[*specify measures authorised to be taken*].
- (3) I am satisfied:
- (a) that subsection 48(2) of the Act has been complied with in relation to the application for this warrant; and
  - (b) on the basis of the information given to me by the applicant agency, that:
    - (i) subsection 46(4) of the Act would empower me to issue a warrant if the application had been made under that section; and
    - (ii) Division 3 of Part 2-5 of the Act has been complied with in relation to this application; and
    - (iii) a control order is in force in relation to:
      - \*[*if subparagraph 46(4)(d)(ii) of the Act would apply if the application had been made under section 46 of the Act*] the particular person mentioned above; and
      - \*[*otherwise*] a person other than the particular person mentioned above, and the particular person mentioned above is likely to communicate with the other person using the service; and
  - (c) on the basis of the information given to me by the applicant agency, that information that would be likely to be obtained by intercepting under a warrant communications made to or from the service would be likely to substantially assist in connection with:
    - \*(i) the protection of the public from a terrorist act; or
    - \*(ii) preventing the provision of support for, or the facilitation of, a terrorist act; or
    - \*(iii) preventing the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country; or
    - \*(iv) determining whether the control order, or any succeeding control order, has been, or is being, complied with; and
  - (d) on the basis of the information given to me by the applicant agency, that it would be impracticable or inappropriate to intercept communications under

a warrant in respect of the service otherwise than by the use of equipment or a line installed on those premises:

\*for technical reasons connected with the nature or operation of the service or of a telecommunications system of which the service forms a part.

\*because, if the warrant were issued under section 46, communications to or from the telecommunications service would be intercepted while passing over a telecommunications system and execution of the warrant as a result of action taken by employees of that carrier might jeopardise the achievement of the objective for which the warrant was issued.

- (4) This warrant is issued on the basis of the control order mentioned in subparagraph (3)(b)(iii), details of which are specified in the following table.

<b>Control order</b>		
<b>The name of the person in relation to whom the control order was made</b>	<b>The date the control order was made</b>	<b>Whether the control order is an interim control order or a confirmed control order</b>
<i>[the name of the person in relation to whom the control order was made]</i>	<i>[the date the control order was made]</i>	*interim control order/* confirmed control order

## 2 Persons who may exercise this authority

Under subsection 55(1) of the Act, the authority conferred by this warrant applies to a person in relation to whom an approval under subsection 55(3) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

## 3 Period for which warrant is in force

- (1) Under section 54 of the Act, this warrant comes into force when it is issued.

- (2) This warrant is in force until *[specify date]*.

*[specify a date that is:*

- (a) *if subparagraph 46(4)(d)(ii) of the Act would apply if the application had been made under section 46 of the Act—not more than 45 days away; or*  
 (b) *otherwise—not more than 90 days away]*

## \*4 Conditions

Interceptions under this warrant are subject to the following conditions:

*[details of conditions]*.

## \*5 Restrictions

Interceptions under this warrant are subject to the following restrictions:

*[details of restrictions]*.

Dated

.....  
 \*Judge/\*nominated AAT member

\* Omit if not applicable