

c2026-044C
GRNS--The Greens

LEGISLATIVE COUNCIL

Surveillance Devices Amendment (Public Interest Exceptions) Bill 2026

First print

Proposed amendments

No. 1 **Limitation on use of records in possession of officers of investigative bodies**

Page 3, Schedule 1[3], line 35. Omit “and 14B”. Insert instead “-14C”.

No. 2 **Limitation on use of records in possession of officers of investigative bodies**

Page 4, Schedule 1[3]. Insert after line 20—

14C Limitation on use officers of investigative bodies may make of certain surveillance device records

- (1) This section applies if this Act permits a surveillance device record made in contravention of this part to be possessed, communicated or published by an officer of an investigative body.
- (2) The officer may possess, communicate or publish the surveillance device record in accordance with this Act only for investigating a possible relevant crime.
- (3) To avoid doubt, the surveillance device record must not be used in an investigation of a possible offence committed in connection with an apparently genuine demonstration or protest if the offence does not involve violence.
- (4) This section applies despite another provision of this Act or another Act.
- (5) In this section—
relevant crime means any of the following—
 - (a) a domestic violence offence within the meaning of the *Crimes (Domestic and Personal Violence) Act 2007*,
 - (b) a serious indictable offence within the meaning of the *Crimes Act 1900*,
 - (c) an offence involving another form of violence against a person, that is not a serious indictable offence within the meaning of the *Crimes Act 1900*,
 - (d) an offence involving another form of non-consensual sexual act against a person, that is not a serious indictable offence within the meaning of the *Crimes Act 1900*,
 - (e) an offence involving the production, distribution or use of a weapon, that is not a serious indictable offence within the meaning of the *Crimes Act 1900*,

-
- (f) an offence involving fraud, that is not a serious indictable offence within the meaning of the *Crimes Act 1900*,
 - (g) any of the following within the meaning of the *Law Enforcement Conduct Commission Act 2016*—
 - (i) serious misconduct,
 - (ii) agency maladministration,
 - (iii) officer maladministration
 - (iv) serious maladministration,
 - (h) an offence involving animal cruelty, that is not a serious indictable offence within the meaning of the *Crimes Act 1900*,
 - (i) serious wrongdoing within the meaning of the *Public Interest Disclosures Act 2022*,
 - (j) an offence under a law of the Commonwealth.