

Utilities Commission Act. *The amendments to the three acts also clarify that this personal protection for officers does not affect any liability that would otherwise apply to the Territory.*

Utilities Commission Amendment Bill: *The final amendments are to the Utilities Commission Act. The amendment bill will enable the minister to confer on the Utilities Commission the power to undertake other relevant functions, aside from those specifically assigned by its own legislation or another act. Without such a provision, the commission strictly has no legal basis to undertake other relevant activities, such as assisting other regulators in areas where the Territory has a particular interest. For example, there are opportunities for officers of the commission to assist the South Australian independent industry regulator in its role as regulator of third party access for the Tarcoola to Darwin railway.*

These bills provide for some minor, but necessary, amendments to the legislation governing the Territory's electricity, water supply and sewerage services industries. In particular, the amendment to the coverage provisions of the Electricity Networks (Third Party Access) Act will ensure the Darwin-Katherine transmission line can be regulated by the Utilities Commission under the same framework that applies to other monopoly electricity networks. The amendment is also necessary to achieve certification of the network access code including the Darwin-Katherine transmission line. Given the necessity for this legislative amendment, it is also timely to make the other minor technical amendments. These will improve the operation of the various acts that regulate the Territory's utility industries.

Mr Deputy Speaker, I commend the bills to the Assembly.

Debate adjourned.

TELECOMMUNICATIONS (INTERCEPTION) NORTHERN TERRITORY BILL (Serial 326)

Bill presented and read a first time.

Mr REED (Police, Fire and Emergency Services): Mr Deputy Speaker, I move that the bill be now read a second time.

The purpose of this bill is to enable the Northern Territory Police Force to be declared an agency for the purpose of lawfully obtaining warrants for the interception of telecommunications in accordance with the Commonwealth *Telecommunications (Interception) Act 1979*. The bill will provide an additional and powerful investigative tool in cases of serious violent and organised crime, and will align the Territory with other law enforcement agencies and anticorruption bodies who have telecommunications interception capability. Such capability will enable police to utilise available technologies to enhance investigation outcomes and crime prevention. At present, the Northern Territory Police are only able to monitor telephone conversations conducted in close proximity to lawfully installed surveillance devices. The bill will expand their remote monitoring capability and, in its own way, complement the recently passed *Surveillance Devices Act*.

This bill satisfies the requirements of section 35 of the Commonwealth *Telecommunications (Interception) Act 1979* and includes the preconditions to be met prior to being declared an agency under that act. The Commonwealth act is itself the governing Act in terms of telecommunications interception, (Commonwealth *Telecommunications Act*). Any state or territory legislation is merely the enabling legislation to facilitate interception as required under the main act.

As a declared agency, the Northern Territory Police will, under a warrant issued in accordance with the Commonwealth act, be able to intercept communications passing over the Australian telecommunications system. Warrants authorise the interception of communications in the investigation of class 1 or class 2 offences. The purpose of the distinguishing categories of the offences lies in the matters to which the judge issuing the warrant shall have regard. As such, the lesser class 2 offences will require the issuing judge to have regard to further matters not provided for in relation to the class 1 offences.

Class 1 offences include murder, kidnapping and equivalent offences and narcotic offences punishable by section 235 of the *Customs Act*. They also include ancillary offences such as aiding; abetting and conspiracy in relation to class 1 offences.

In the case of class 2 offences, these include:

- serious offences involving the loss of life or serious personal injury, or serious risk of loss of life or injury; serious damage to property in circumstances endangering a