

Case Number:

FDN:

## Commonwealth of Australia

Telecommunications (Interception and Access) Act 1979  
**STORED COMMUNICATIONS WARRANT**

Duplicate panel if multiple parties

**Person in respect of whom warrant is issued**

[Full known name, other known names, other known identifying information (e.g. date of birth)]

**Person making application on behalf of applicant criminal law-enforcement agency**

[Name]

Note: See subsections 119(5) and (5) of the Act in relation to issuing a further warrant in respect of a person in respect of whom a previous warrant was issued.

**1. Authorisation**

(1) I, [name], an issuing authority within the meaning of the *Telecommunications (Interception and Access) Act 1979* (Cth) ('the Act'), acting under section 116 of the Act, authorise the accessing of any stored communication:

- (a) that was made by the person mentioned above, or that another person has and for which the intended recipient is the person mentioned above; and
- (b) that becomes, or became, a stored communication before the warrant is first executed in relation to the carrier that holds the communication.

(2) I am satisfied, on the basis of the information given to me under Part 3-3 of the Act in connection with the application for this warrant, that:

- (a) Division 1 of Part 3-3 of the Act has been complied with in relation to the application for this warrant.
- (b) because of urgent circumstances, it was necessary to make the application by telephone.
- (c) there are reasonable grounds for suspecting that [a] particular carrier[s] hold[s] stored communications:
  - i. that the person mentioned above has made; or
  - ii. that another person has made and for which the person mentioned above is the intended recipient.
- (d) information that would be likely to be obtained by accessing those stored communications under a stored communications warrant would be likely to assist in connection with the investigation by the applicant criminal law enforcement agency of the following serious contravention[s] in which the person mentioned above is involved:
  - [short particulars of each serious contravention].
- (e) the person mentioned above is a victim of a serious contravention and:
  - i. the person is unable to consent; or
  - ii. it is impracticable for the person to consent;
 to those stored communications being accessed

- (f) the warrant should be issued having regard to the following matters only:
  - i. how much the privacy of any person or persons would be likely to be interfered with by accessing those stored communications under a stored communications warrant;
  - ii. the gravity of the conduct constituting each serious contravention;
  - iii. how much the information referred to in paragraph (d) would be likely to assist in connection with the investigation by the applicant criminal law enforcement agency of each serious contravention;
  - iv. to what extent the methods of investigating each serious contravention that do not involve the use of a stored communications warrant in relation to the person mentioned above have been used by, or are available to, the applicant criminal law enforcement agency;
  - v. how much the use of such methods would be likely to assist in connection with the investigation by the applicant criminal law enforcement agency of each serious contravention;
  - vi. how much the use of such methods would be likely to prejudice the investigation by the applicant criminal law enforcement agency of each serious contravention, whether because of delay or for any other reason.

**2. Persons who may exercise this authority**

Under section 127 of the Act, the authority conferred by this warrant may be exercised by an officer or staff member of the applicant criminal law enforcement agency, or another criminal law enforcement agency, in relation to whom an approval under subsection 127(2) of the Act is in force in relation to the warrant, or to the class of warrants to which it belongs.

**3. Duration of warrant**

- (a) Under section 125 of the Act, this warrant comes into force when it is issued
- (b) Complete this subclause only if the warrant relates to 1 or more telecommunication services that are all operated by the same carrier Under subsection 119(1) of the Act, this warrant remains in force until the occurrence of the sooner of the following:
  - i. the warrant is first executed;
  - ii. the end of the period of 5 days after the day on which it was issued
- (c) Complete this subclause only if the warrant relates to 2 or more telecommunications services that are not all operated by the same carrier Under subsection 119(2) of the Act, this warrant remains in force, to the extent that it relates to a telecommunications service operated by a particular carrier, until the occurrence of the sooner of the following:
  - i. the warrant is first executed in relation to a telecommunications service operated by that particular carrier;
  - ii. the end of the period of 5 days after the day on which it was issued

**4. Conditions only if applicable**

The accessing of stored communications under this warrant is subject to the following conditions:

- (a) *[details of conditions in numbered paragraphs]*

**5. Restrictions only if applicable**

The accessing of stored communications under this warrant is subject to the following restrictions:

- (a) *[details of conditions in numbered paragraphs]*

Dated

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Issuing Authority