

**2008**

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**REGULATORY SERVICES LEGISLATION AMENDMENT BILL 2007**

**SUPPLEMENTARY  
EXPLANATORY STATEMENT**

Circulated with the authority of  
Mr Simon Corbell MLA  
Attorney General

## **REGULATORY SERVICES LEGISLATION AMENDMENT BILL 2007**

This explanatory statement supplements the explanatory statement to the Regulatory Services Legislation Amendment Bill 2007 as introduced into the Legislative Assembly on 22 November 2007.

### **Overview of Bill**

#### **Amendment 1**

Amendment 1 amends clause 54 of the Bill, dealing with proposed new section 70E. The amendment ensures that the provisions dealing with seizure of goods do not apply to the seizure of a computer or data storage device if the only reason for seizure is to access data. This amendment is the result of concerns raised by stakeholders, that an unwarranted seizure of a computer could effectively stop a business from trading.

### **Outline of Provisions**

#### **Amendment 1**

##### **Clause 54**

##### **Proposed new section 70E**

This clause inserts in clause 54 of the Bill a new subsection 3A in proposed new section 70E. The new subsection provides that subsection 1 and 3 of new section 70E do not apply to the seizure of a computer or data storage device if the only reason for seizure is to access data and the data can be obtained with consent or under the powers in section 70D.