

#### **478.4 Producing, supplying or obtaining data with intent to commit a computer offence**

- (1) A person is guilty of an offence if:
  - (a) the person produces, supplies or obtains data; and
  - (b) the person does so with the intention that the data be used, by the person or another person, in:
    - (i) committing an offence against Division 477; or
    - (ii) facilitating the commission of such an offence.

Penalty: 3 years imprisonment.

- (2) A person may be found guilty of an offence against this section even if committing the offence against Division 477 is impossible.

*No offence of attempt*

- (3) It is not an offence to attempt to commit an offence against this section.

*Meaning of producing, supplying or obtaining data*

- (4) In this section, a reference to a person producing, supplying or obtaining data includes a reference to the person:
  - (a) producing, supplying or obtaining data held or contained in a computer or data storage device;  
or
  - (b) producing, supplying or obtaining a document in which the data is recorded.