

3LAA Use of electronic equipment at other place

- (1) If electronic equipment is moved to another place under subsection 3K(2), the executing officer or a constable assisting may operate the equipment to access data (including data held at another place).
- (2) If the executing officer or constable assisting suspects on reasonable grounds that any data accessed by operating the electronic equipment constitutes evidential material, he or she may copy any or all of the data accessed by operating the electronic equipment to a disk, tape or other associated device.
- (3) If the Commissioner is satisfied that the data is not required (or is no longer required) for a purpose mentioned in section 3ZQU or for other judicial or administrative review proceedings, the Commissioner must arrange for:
 - (a) the removal of the data from any device in the control of the Australian Federal Police; and
 - (b) the destruction of any other reproduction of the data in the control of the Australian Federal Police.
- (4) If the executing officer or a constable assisting, after operating the equipment, finds that evidential material is accessible by doing so, he or she may:
 - (a) seize the equipment and any disk, tape or other associated device; or
 - (b) if the material can be put in documentary form—put the material in that form and seize the documents so produced.
- (5) A constable may seize equipment under paragraph (4)(a) only if:
 - (a) it is not practicable to copy the data as mentioned in subsection (2) or to put the material in documentary form as mentioned in paragraph (4)(b); or
 - (b) possession of the equipment, by the person referred to in paragraph 3K(2)(a) or (b) (as the case requires), could constitute an offence.