



ANNO TRICESIMO OCTAVO

# ELIZABETHAE II REGINAE

A.D. 1989

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No. 50 of 1989

An Act to amend the Summary Offences Act, 1953.

[Assented to 31 August 1989]

The Parliament of South Australia enacts as follows:

## Short title

1. (1) This Act may be cited as the *Summary Offences Act Amendment Act, 1989*.
- (2) The *Summary Offences Act, 1953*, is referred to in this Act as "the principal Act".

## Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

## Insertion of s. 44

3. The following section is inserted immediately after section 43 of the principal Act:

### Unlawful operation of computer system

44. (1) A person who, without proper authorization, operates a restricted-access computer system is guilty of an offence.

(2) The penalty for an offence against subsection (1) is as follows:

- (a) if the person who committed the offence did so with the intention of obtaining a benefit from, or causing a detriment to, another—\$2 000 or imprisonment for six months;
- (b) in any other case—\$2 000.

(3) A computer system is a restricted-access computer system if—

- (a) the use of a particular code of electronic impulses is necessary in order to obtain access to information stored in the system or operate the system in some other way;

and

(b) the person who is entitled to control the use of the computer system has withheld knowledge of the code, or the means of producing it, from all other persons, or has taken steps to restrict knowledge of the code, or the means of producing it, to a particular authorized person or class of authorized persons.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor