

²⁰ www.nospyware.net.au accessed 28 September 2005

Table 1

Legislation	Potential offence
Criminal Code Act 1995 (Cth)	Attempting to commit a serious offence (such as fraud) using a telecommunications network; Unauthorised access, modification or impairment of data, information or programs with intent to commit a serious offence; Causing unauthorised modification of data, information or programs to cause impairment - including the reliability, security or operation of data, information or programs; Unauthorised impairment of electronic communication; Unauthorised access to or modification of restricted data - data held on computer and to which access is restricted by an access control system (such as passwords etc) associated with the function of the computer; Possession or control of information with the intention to commit or facilitate a computer offence; Producing, supplying or obtaining data with intention of committing or facilitating a computer offence; Dishonestly obtaining, possessing, supplying, using or dealing in personal financial information without consent; and Intentionally using a carriage service to menace, harass or cause offence.
Trade Practices Act 1974 (Cth)	Anti-competitive behaviour Misleading and deceptive conduct
Australian Securities and Investments Commission Act 2001 (Cth) and Corporations Act 2001 (Cth)	Misleading and deceptive conduct
Privacy Act 1988 (Cth)	Invasion of privacy Harvesting and collecting personal information
Criminal Law Consolidation Act 1935 (SA)	Identity theft
Telecommunications Act 1997 (Cth)	Applies to some use of personal information
Telecommunications (Interception) Act 1979 (Cth)	Collection of data and other information

The Medium, the Message, the Artist and the Image: unauthorised photography on the Internet

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Introduction

The medium, or process, of our time – electric technology – is reshaping and

restructuring patterns of social interdependence and every aspect of our personal life...'¹

The unauthorised use of photographs on the Internet raises a number of interesting legal issues. This article will focus on a few of the issues raised