

REPORT OF THE DESIGNATED JUDGE
PURSUANT TO SECTION 8(2) OF THE INTERCEPTION OF POSTAL
PACKETS AND TELECOMMUNICATIONS MESSAGES (REGULATION)
ACT 1993
AND
SECTION 12(1)(C) OF THE COMMUNICATIONS
(RETENTION OF DATA) ACT 2011

I am the 'Designated Judge' under the above mentioned Acts.

On 13th November 2012, I attended at the headquarters of An Garda Síochána at 'The Depot', Phoenix Park, Dublin, and later on the same day, at the Headquarters of the Army in McKee Barracks, Blackhorse Avenue, Dublin, and at the Offices of the Revenue Commissioners at Block D, Ashtown Gate, Dublin 15, and at the Offices of the Department of Justice and Equality, St. Stephen's Green, Dublin 2.

In each of those locations, such documents and records pertaining to the operation of the above Acts, as were requested by me, were made available and were examined by me. I also spoke to the persons with responsibility for the operation of the above Acts, in each location, and all of my queries were answered to my satisfaction.

I am very pleased to note that the anomaly which arose by virtue of the fact that the same person held the offices of Minister for Justice and Equality and Minister for Defence, to which I drew attention in my report of 22nd November 2011, has been corrected by the **Authorisation of Certain Interceptions (Transfer of Departmental Administration and Ministerial Functions) Order 2012, S.I. No. 76 of 2012**, in that under this Order, the functions vested in the Minister for Justice and

Equality under section 2 of the Act of 1993, were as of 13th March 2012, transferred to the Minister for Communications, Energy and Natural Resources, but only insofar as they relate to an application for an authorisation pursuant to section 6(1)(a) (ii)(II) of that Act.

I am satisfied that as of the date of this report, the relevant State authorities are in compliance with the provisions of the above Acts.

A handwritten signature in black ink, appearing to read 'Iarfhlaith O'Neill', written in a cursive style.

Mr. Justice Iarfhlaith O'Neill
20th November 2012