**Application under section 23 of the [Workplace Surveillance Act 2005](http://www.legislation.nsw.gov.au/summarize/inforce/s/1/?xref=RecordType%3DACTTOC%20AND%20Year%3D2005%20AND%20Actno%3D47&nohits=y" \t "main) for issue of covert surveillance authority**

I, [*insert name of employer or employer’s representative applying to Magistrate for issue of covert surveillance authority*] apply under section 23 of the [*Workplace Surveillance Act 2005*](http://www.legislation.nsw.gov.au/summarize/inforce/s/1/?xref=RecordType%3DACTTOC%20AND%20Year%3D2005%20AND%20Actno%3D47&nohits=y) for the issue of a covert surveillance authority authorising the carrying out of covert surveillance of employees at work for the employer.

**1.** The following employee, employees or class of employees are suspected, on the following grounds, of being involved in unlawful activity in the workplace:[*state the grounds applicant has for suspecting that a particular employee is or employees are involved in unlawful activity at work. Include the names of those employees where possible*]

**2.** Other managerial or investigative procedures have/have not been undertaken to detect the unlawful activity. The outcome of other managerial or investigative procedures was [*describe what was the outcome of other managerial or investigative procedures*]

**3.** Other applications for a covert surveillance authority have/have not been made to detect the unlawful activity. The outcome of other applications for a covert surveillance authority was [*describe the outcome of other applications for a covert surveillance authority, including the results of any covert surveillance carried out under a covert surveillance authority*]

**4.** The following employees and premises/vehicles/computers will regularly or ordinarily be the subject of the covert surveillance:[*describe who (including the names of employees where possible) and what (including premises, vehicles and computers) will regularly and ordinarily be the subject of the covert surveillance*]

**5.** It is proposed that the covert surveillance will be conducted by camera\*/computer\*/tracking\* surveillance.

**6.** It is proposed to conduct the covert surveillance during the following dates and times:[*specify dates and times during which it is proposed to conduct covert surveillance. Note that any covert surveillance authority that is issued cannot specify a period of longer than 30 days during which it is to remain in force*]

**7.** In accordance with section 23 (4) of the *[Workplace Surveillance Act 2005](http://www.legislation.nsw.gov.au/summarize/inforce/s/1/?xref=RecordType%3DACTTOC%20AND%20Year%3D2005%20AND%20Actno%3D47&nohits=y" \t "main)*, the following person/persons are nominated to oversee the conduct of the covert surveillance operation and, for the purpose of section 27 of the Act, are competent and fit to oversee the conduct of the surveillance and have the following experience or qualifications:  
[*insert full name and address of each person nominated to oversee the conduct of the covert surveillance operation and details of their qualifications, experience and any other information to satisfy the Magistrate that each person designated as a surveillance supervisor is competent and fit to do so (see section 27 (2) and (3))*]

**8.** Verification of the employer’s authority for me to act as an employer’s representative for the purposes of the covert surveillance operation is attached.[*If applicant is an employer’s representative attach verification. If the applicant is the employer, delete this paragraph. Section 23 (2) (h) of the [Workplace Surveillance Act 2005](http://www.legislation.nsw.gov.au/summarize/inforce/s/1/?xref=RecordType%3DACTTOC%20AND%20Year%3D2005%20AND%20Actno%3D47&nohits=y" \t "main) requires an applicant for the issue of a covert surveillance authority who is an employer’s representative to include verification acceptable to the Magistrate to whom the application is made of the employer’s authority for the person to act as employer’s representative for the purposes of the covert surveillance operation.*]

Dated Signature

Name of applicant