



# Lawful Interception of Employees Communication

The regulation of **Interception of Communications & Provision of Communication Related Information Act** regulates the extent to which employers may lawfully **intercept** their employee's communications on the telephone and email.



**An employer cannot intercept any communication unless:**

- the employer is a party to the communication; or
- the employee has given prior written consent; or
- the interception is during the course of carrying on any business.

**Monitoring** must be done for a legitimate purpose that is to establish certain facts, to investigate and detect unauthorized use and to secure the effective operation of the employer's telecommunications systems.

An employer must make a **reasonable effort** to inform employees in advance that their telephone discussions may be intercepted and monitored. And further, that their emails may be lawfully intercepted should the employer meet all the legal requirements of this act.