

2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS)
AMENDMENT BILL 2003

EXPLANATORY STATEMENT

Circulated by authority of the
Attorney General
Mr Jon Stanhope MLA

BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) AMENDMENT BILL 2003

Outline

The Bushfire Inquiry (Protection of Statements) Amendment Bill 2003 (the Bill) will amend the *Bushfire Inquiry (Protection of Statements) Act 2003* (the Act). The Bill provides a mechanism for the report of the inquiry announced by the Chief Minister on 10 February 2003 into the operational response to the January 2003 bushfires in the ACT, headed by Mr Ron McLeod AM (the Report), to be tabled in the Assembly at a time when the Assembly is not in session.

The Bill allows the Report to be tabled when it is finished, rather than when the Assembly is next in session after the completion of the report. Allowing the report to be tabled in the Assembly out of session will mean that the report can be released to the community for discussion at the earliest possible convenience after the completion of the Report.

Clause Notes

Clause 1 – Name of Act – provides that upon enactment, the Bill will be titled the *Bushfire Inquiry (Protection of Statements) Amendment Act 2003*.

Clause 2 – Commencement – provides that the provisions of the Bill will commence on the day after notification day.

Clause 3 – Act Amended – provides that the Bill will amend the *Bushfire Inquiry (Protection of Statements) Act 2003*.

Clause 4 – Protection of statements to inquiry – inserts into the Act a new subsection 4 (3A). The protection from civil suit provided by section 4 of the Act does not accrue until the report has been tabled in the Assembly. At present, the Act does not provide for the tabling of the report if the Assembly is not in session. Subsequently if the Report is completed when the Assembly is not in session, the Report would not be able to be tabled. The publication and discussion of the report would not be protected from civil proceedings until the report could be tabled in the Assembly.

The new subsection provides a mechanism for the tabling of the Report when the Assembly is not in session. This will facilitate the release and discussion of the Report at the earliest possible convenience.

Clause 5 – Section 4 – is a technical amendment. It provides for the renumbering of the subsections of section 4 when the Act is next republished.