



Australian Capital Territory

Inquiries Act 1991 No 2

Republication No 5

Effective: 4 December 2003 - 22 November 2005

Republication date: 4 December 2003

Last amendment made by A2003-52

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Inquiries Act 1991* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 4 December 2003. It also includes any amendment, repeal or expiry affecting the republished law to 4 December 2003.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Inquiries Act 1991

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R5
04/12/03

Inquiries Act 1991
Effective: 04/12/03-22/11/05

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Australian Capital Territory

Inquiries Act 1991

An Act relating to inquiries

R5
04/12/03

Inquiries Act 1991
Effective: 04/12/03-22/11/05

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Part 1 Preliminary

1 Short title

This Act may be cited as the *Inquiries Act 1991*.

3 Interpretation for Act

(1) In this Act:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

authorised person means a person or class of persons declared in writing by the chairperson to be an authorised person or authorised class of persons for this Act.

board means—

- (a) a board of inquiry appointed under section 5; and
- (b) in relation to an inquiry—the board of inquiry appointed to conduct that inquiry.

chairperson means the chairperson of a board appointed under section 6 (1) or (3).

member means—

- (a) in relation to a board constituted by 1 person—that person; or
- (b) in relation to a board constituted by 2 or more persons—each of those persons.

premises includes—

- (a) a building or other structure; and
- (b) an aircraft, vehicle or vessel; and
- (c) a place, whether enclosed or built on, or not.

- (2) In this Act, a reference to the *chairperson* of a board is, in relation to a board constituted by 1 person, a reference to that person.

Part 2 Boards of inquiry

5 Appointment

The Executive may, by instrument, appoint 1 or more persons as a board of inquiry to inquire into a matter specified in the instrument of appointment.

6 Members

(1) Where a board is constituted by 2 or more persons, the Executive shall appoint 1 of those persons to be the chairperson.

(2) Where—

(a) a board is constituted by 2 or more persons; and

(b) a member dies, resigns or is removed from office under section 11;

the remaining members shall constitute the board.

(3) Where—

(a) a board is constituted by more than 2 persons; and

(b) the chairperson dies, resigns or is removed from office under section 11;

the Executive shall appoint 1 of the remaining members to be the chairperson.

(4) The appointment of a member is not invalid because of a defect or irregularity in connection with the member's appointment.

7 Terms and conditions of appointment

(1) A person may be appointed as a full-time or part-time member.

- (2) A member holds office on such terms and conditions in relation to matters not provided for by this Act as are determined in writing by the Executive.

9 Cessation of office

A member ceases to hold office as a member when the board's report of its inquiry has been submitted to the Chief Minister in accordance with section 14.

10 Resignation

A person may resign as a member or as the chairperson by writing signed by the person and delivered to the Chief Minister.

11 Termination of appointment

The Executive may terminate the appointment of a member for misbehaviour or physical or mental incapacity.

12 Staff

- (1) The staff of a board shall be public servants made available to the board by the chief executive.
- (2) While a public servant is performing services for a board, he or she shall perform those services in accordance with the directions of a member, and not otherwise.

Part 3 **Inquiries**

Division 3.1 **General**

13 **Conduct**

Except as otherwise provided by this Act, an inquiry shall be conducted in such manner as the board determines.

14 **Reports of boards**

- (1) After completing an inquiry, a board shall—
 - (a) prepare a report of the inquiry; and
 - (b) submit the report to the Chief Minister.
- (2) A report shall be submitted to the Chief Minister—
 - (a) where the Executive has fixed a date for submission of the report—on or before that date; or
 - (b) where paragraph (a) does not apply—as soon as practicable after completion of the inquiry.
- (3) When submitting a report to the Chief Minister, a board shall commit any documents and things then in its possession to the custody of the Chief Minister for safekeeping.

14A **Presenting reports**

- (1) The Chief Minister may present a copy of a report or part of a report submitted by a board to the Legislative Assembly.
- (2) The Chief Minister may make a report or part of a report public whether or not the Legislative Assembly is sitting and whether or not the report or part has been presented to the Assembly.
- (3) The Chief Minister is not civilly or criminally liable in relation to the publication of a report or part of a report.

14B Chief Minister to explain non-presentation of report

- (1) This section applies if—
 - (a) a board submits a report to the Chief Minister under section 14A; and
 - (b) the Chief Minister does not present a copy of the report to the Legislative Assembly or otherwise publish the report within the reporting period.
- (2) On the next sitting day after the end of the reporting period, the Chief Minister must present to the Legislative Assembly a written statement explaining why a copy of the report was not presented or otherwise published within the reporting period.

- (3) In this section:

reporting period, for a report, means the shorter of the following periods:

- (a) either—
 - (i) if there is a sitting day within 1 calendar month after the day the report is submitted by the board to the Chief Minister—1 calendar month after the day the report is submitted; or
 - (ii) if there is no sitting day within 1 calendar month after the day the report is submitted by the board to the Chief Minister—the period ending on the 1st sitting day after the report is submitted;
- (b) the period ending on the 2nd last sitting day before the polling day for the next general election of members of the Legislative Assembly.

15 Legal practitioner assisting boards

A board may appoint a legal practitioner to assist the board, either generally or in relation to a particular matter.

16 Protection of members etc

- (1) A member has, in the performance or exercise of any function or power as a member in relation to an inquiry, the same protection and immunity as a judge of the Supreme Court in proceedings in that court.
- (2) A legal practitioner assisting a board or appearing on a person's behalf at a hearing before a board has the same protection and immunity as a barrister has in appearing for a party in proceedings in the Supreme Court.
- (3) Subject to this Act, a person summoned to attend or appearing before a board as a witness has the same protection and is subject to the same liabilities as a witness in proceedings in the Supreme Court.

17 Nondisclosure of information by members etc

A person who is or has been a member, a member of the staff of a board or a legal practitioner assisting a board shall not, either directly or indirectly, except in the performance or exercise of a function or power under this Act—

- (a) make a record of, or divulge or communicate to any person, any information acquired by the firstmentioned person by virtue of that person's office or employment under or for this Act; or
- (b) make use of any such information; or
- (c) produce to any person, or permit any person to have access to, a document furnished for this Act.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

18 Procedure

In conducting an inquiry, a board—

- (a) must comply with the rules of natural justice; and
- (b) is not bound by the rules of evidence but may inform itself of anything in the way it considers appropriate; and
- (c) may do whatever it considers necessary or convenient for the fair and prompt conduct of the inquiry.

19 Admissibility of evidence

A statement or disclosure made, or a document or other thing produced, by a witness in the course of giving evidence before a board, or any information, document or thing obtained as a direct or indirect consequence of the making of the statement or disclosure, or of the production of the firstmentioned document or thing, is not (except in proceedings for an offence against this Act) admissible in evidence against that witness in any civil or criminal proceedings.

20 Search warrants

- (1) The chairperson may issue a search warrant where—
 - (a) the chairperson has reasonable grounds for suspecting that there may be, at that time or within the next following 24 hours, in or on any premises, a thing of a particular kind connected with a matter into which the board is inquiring (a *thing of the relevant kind*); and
 - (b) the chairperson believes on reasonable grounds that, if a search warrant were not issued for the production of the thing, that thing might be concealed, lost, mutilated, destroyed or disposed of.
- (2) A search warrant shall authorise a police officer or an authorised person named in the warrant with such assistance, and by such force, as is necessary and reasonable—
 - (a) to enter the premises; and
 - (b) to search the premises for things of the relevant kind; and

- (c) to seize any things of the relevant kind found in or on the premises; and
 - (d) to deliver any thing so seized to the board.
- (3) A search warrant shall—
- (a) state the purpose for which it is issued; and
 - (b) specify particular hours during which the entry is authorised or state that the entry is authorised at any time of the day or night; and
 - (c) include a description of the kind of things in relation to which the powers under the warrant may be exercised; and
 - (d) specify the date, being a date not later than 1 month after the date of issue of the warrant, on which the warrant ceases to have effect.
- (4) A search warrant may be executed, in accordance with its terms, at any time during the period commencing on the date of issue of the warrant and ending at the expiration of the date specified for subsection (3) (d).
- (5) If, in the course of searching under a search warrant for a thing of a relevant kind—
- (a) the person executing the warrant finds a thing that the person believes on reasonable grounds to be connected with the matter into which the board is inquiring, although not of a kind specified in the warrant; and
 - (b) the person believes on reasonable grounds that it is necessary to seize that thing in order to prevent its being concealed, lost, mutilated, destroyed or disposed of;

the person may seize that thing and shall deliver the thing so seized to the board.

- (6) A person executing a search warrant shall, on request by an occupant of the premises to which the warrant relates, show the warrant to that occupant.
- (7) A reference in subsection (1) to the *chairperson* includes a reference to a member authorised by the chairperson to act under that subsection.

Division 3.2 Hearings

21 Power to hold

- (1) For the purposes of conducting an inquiry, a board may hold hearings.
- (2) Subject to subsection (3), a hearing shall be in public.
- (3) Where a board is satisfied that it is desirable to do so because of the confidential nature of any evidence or matter, or for any other reason, the board may—
 - (a) direct that a hearing or part of a hearing shall take place in private and give directions as to the persons who may be present; and
 - (b) give directions prohibiting or restricting the publication of evidence given at a hearing (whether in public or private) or of matters contained in documents lodged with, or received in evidence by, the board; and
 - (c) give directions prohibiting or restricting the disclosure to some or all of the persons present at a hearing of evidence given before, or the contents of a document lodged with or received in evidence by, the board.
- (4) In considering whether to give a direction under subsection (3), a board shall take as the basis of its consideration the principle that it is desirable that hearings be in public and that evidence given before, or the contents of documents lodged with or received in evidence by, the board should be made available to the public and to

all persons present at the hearing, but shall pay due regard to any reasons given to the board why the hearing should be held in private or why publication or disclosure of the evidence or the matter contained in the document should be prohibited or restricted.

22 Person presiding

The chairperson shall preside at a hearing.

23 Conduct

Except as otherwise provided by this Act, the procedure at a hearing shall be determined by the board.

24 Presence of persons at private hearings

Where a hearing is being held in private, a person shall not be present at the hearing unless the person is—

- (a) a member; or
- (b) a member of the staff of the board directed to be present; or
- (c) a legal practitioner assisting the board; or
- (d) giving evidence before the board; or
- (e) entitled under a direction under section 21 (3) (a) to be present.

25 Examination of witnesses

At a hearing—

- (a) a legal practitioner assisting the board; or
- (b) any other person present who is permitted by the chairperson to do so;

may, so far as the board thinks appropriate, examine or cross-examine a witness on any matter that the board considers relevant to its inquiry.

26 Power to summon witnesses and take evidence

- (1) For the purposes of a hearing before a board, the chairperson, or a member authorised by the chairperson, may summon a person to appear before the board—
 - (a) on a date specified in the summons to produce the documents and other things referred to in the summons; or
 - (b) at the hearing—
 - (i) to give evidence; or
 - (ii) to give evidence and produce the documents and other things referred to in the summons.
- (2) A person shall be taken to have complied with a summons of the kind referred to in subsection (1) (a) if the person delivers the documents and things to the board before the date specified in the summons.
- (3) A summons shall be—
 - (a) in writing; and
 - (b) served on the person named in the summons.
- (4) At a hearing, the board may take evidence on oath or affirmation and, for that purpose—
 - (a) a member may require a witness at the hearing either to take an oath or to make an affirmation; and
 - (b) a member or authorised person may administer an oath or affirmation to a witness at the hearing.
- (5) At a hearing, the chairperson may—
 - (a) require a witness to answer a question put to the witness; and
 - (b) require a person appearing at the hearing under a summons to produce a document or other thing specified in the summons.

26A Proposed adverse comments in reports

- (1) The board must not include a comment in a report of an inquiry that is adverse to an entity who is identifiable from the report unless the board has, before making the report, given the entity a copy of the proposed comment and a written notice under subsection (2).
- (2) The written notice to the entity must—
 - (a) tell the entity that the entity may—
 - (i) make a submission to the board in relation to the proposed adverse comment; or
 - (ii) give the board a written statement in relation to the proposed adverse comment; and
 - (b) tell the entity that, if the entity makes a submission or gives a written statement in relation to the comment, the submission or statement, or a summary of it, will be included in the board's report of the inquiry; and
 - (c) state the period within which a submission in relation to the comment may be made or statement given.
- (3) The period allowed under subsection (2) (c) must end not earlier than 14 days after the day the notice is given.
- (4) A copy of a submission made, or statement given, in relation to the comment within the time allowed must be included in the board's report of the inquiry.
- (5) However, if the board is satisfied on reasonable grounds that a submission made, or statement given, in relation to the comment is excessively long or contains defamatory or offensive language, the board may include a fair summary of the submission or statement in the report of the inquiry instead of the submission or statement.

Part 4 Offences

27 Failure of witnesses to attend or produce documents

- (1) A person served with a summons to appear as a witness at a hearing before a board shall not, without reasonable excuse—
- (a) fail to appear before the board as required by the summons; or
 - (b) fail to attend from day-to-day unless excused, or released from further attendance, by a member.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) A person shall not, without reasonable excuse, refuse or fail to produce a document or other thing that the person was required to produce—
- (a) by a summons under this Act served on the person; or
 - (b) if the person appears as a witness at a hearing before a board—by the chairperson.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) It is a defence to a prosecution for an offence against subsection (2) that the document or other thing was not relevant to the matter into which the board was inquiring.
- (4) It is not a reasonable excuse for subsection (2) for a person to refuse or fail to produce a document or other thing on the ground that the production of the document or thing might tend to incriminate the person.

28 Refusal to be sworn or give evidence

- (1) A person appearing as a witness at a hearing before a board shall not, without reasonable excuse, refuse or fail—

- (a) to comply with a requirement under section 26 (4) (a) to take an oath or make an affirmation; or
- (b) to answer a question that the person is required by the chairperson to answer.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) Where a person has on any day done or omitted to do something, being an act or omission that constitutes an offence against subsection (1), and the person does or omits to do the same thing at a hearing of the board held on some other day, each such act or omission constitutes a separate offence.
- (3) It is not a reasonable excuse for subsection (1) (b) for a person to refuse or fail to answer a question on the ground that the answer to the question might tend to incriminate the person.

29 False evidence

A person shall not, at a hearing before a board, knowingly give evidence that is false or misleading in a material particular.

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

30 Improper dealings with documents

A person, knowing or having reasonable grounds for believing that a document or other thing is or may be required in evidence before a board, shall not wilfully—

- (a) conceal, mutilate, destroy or alter the document or other thing; or
- (b) render the document or other thing incapable of identification; or

- (c) in the case of a document—render it illegible or indecipherable.

Maximum penalty: 200 penalty units, imprisonment for 2 years or both.

31 Intimidation or dismissal of witnesses

- (1) A person shall not use, cause, inflict or procure any violence, punishment, damage, loss or disadvantage on or to a person—
- (a) because the person appeared or is to appear before a board as a witness or under a summons or warrant; or
 - (b) because of any evidence given, or any document or other thing produced, by the person before a board; or
 - (c) because of any thing that was seized or delivered to a board pursuant to a search warrant.

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

- (2) An employer shall not dismiss an employee from employment or prejudice an employee in employment—
- (a) because the employee appeared or is to appear before a board as a witness or under a summons or warrant; or
 - (b) because of any evidence given, or any document or other thing produced, by the employee before a board; or
 - (c) because of any thing that was seized or delivered to a board under a search warrant.

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

- (3) If all the elements of an offence against subsection (2) other than the reason for the employer's action are proved, the onus of proving that the dismissal or prejudice was not because the employee appeared or was to appear as a witness or gave evidence is on the employer.

32 Preventing witnesses from attending

A person shall not wilfully prevent a person who has been summoned to attend before a board—

- (a) from so attending; or
- (b) from answering a question that the person is required by the chairperson to answer; or
- (c) from producing a document or other thing referred to in the summons.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

33 Bribery of witnesses

A person shall not—

- (a) give, confer or procure, or promise or offer to give, confer or procure any property or benefit of any kind to, on or for, any person on any agreement or understanding that any person called or to be called as a witness before a board will give false testimony or withhold true testimony; or
- (b) induce a person called or to be called as a witness before a board to give false testimony or to withhold true testimony; or
- (c) ask for, receive or obtain, or agree to receive or obtain, any property or benefit of any kind, whether for the person or for another person, on any agreement or understanding that any person called or to be called as a witness before a board will give false testimony or withhold true testimony.

Maximum penalty: 500 penalty units, imprisonment for 5 years or both.

34 Fraud on witnesses

A person shall not practise any fraud or deceit, or knowingly make or exhibit any false statement, representation, token or writing, to

any person called or to be called as a witness before a board with intent to affect the testimony of that person as a witness.

Maximum penalty: 200 penalty units, imprisonment for 2 years or both.

35 Contempt of boards

A person shall not—

- (a) wilfully insult or disturb a board; or
- (b) wilfully interrupt the proceedings of a board; or
- (c) use insulting language towards a board; or
- (d) make a statement that is false and defamatory of a board; or
- (e) commit a wilful contempt of a board.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

36 Dealing with certain offences summarily

- (1) Notwithstanding that an offence against section 29 or 30 is an indictable offence, proceedings in respect of such an offence may be heard and determined by a court of summary jurisdiction where—
 - (a) the court is satisfied that it is proper to do so; and
 - (b) the defendant and prosecution both consent to the offence being so dealt with.
- (2) Where a person is convicted of an offence that has been dealt with under subsection (1), the penalty that the court may impose for contravention of section 29 is a fine not exceeding 100 penalty units, imprisonment for 1 year or both.

Part 5 Miscellaneous

37 Delegation of powers

A board may, with the written consent of the Chief Minister, by instrument delegate any of its powers under this Act.

38 Publication of published proceedings, reports and comments protected

- (1) The proceedings of a board of inquiry are taken to be a proceeding of public concern for the *Civil Law (Wrongs) Act 2002*, section 128.
- (2) Subsection (1) does not apply in relation to the publication of a report of proceedings, or a part of proceedings, if a direction given under section 21 (3) restricts publication of the proceedings or part of them and the publication of the report contravenes the direction.
- (3) A board of inquiry report that has been made public by the Chief Minister is taken to be a public document for the *Civil Law (Wrongs) Act 2002*, section 129.

39 Reimbursement of expenses of witnesses

A witness appearing before a board is entitled to be paid by the Territory in respect of the expenses of the attendance of the witness an amount authorised in accordance with the Supreme Court scale of costs.

40 Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	RI = reissue
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Inquiries Act 1991 No 2

notified 1 March 1991 (Gaz 1991 No S7)
s 1, s 2 commenced 1 March 1991 (s 2 (1))
remainder commenced 1 May 1991 (s 2 (2) and Gaz 1991 No 16)

as amended by

Acts Revision (Position of Crown) Act 1993 No 44 sch 2

notified 27 August 1993 (Gaz 1993 No S165)
sch 2 commenced 27 August 1993 (s 2)

Judicial Commissions (Consequential Amendments) Act 1994 No 10 s 6

notified 14 March 1994 (Gaz 1994 No S44)
s 3 commenced 14 March 1994 (s 2)

Public Sector Management (Consequential and Transitional Provisions) Act 1994 No 38 sch 1 pt 47

notified 30 June 1994 (Gaz 1994 No S121)
s 1, s 2 commenced 30 June 1994 (s 2 (1))
sch 1 pt 47 commenced 1 July 1994 (s 2 (2) and Gaz 1994 No S142)

Inquiries (Amendment) Act 1996 No 19

notified 27 May 1996 (Gaz 1996 No S93)
commenced 27 May 1996 (s 2)

Remuneration Tribunal (Consequential Amendments) Act 1997 No 41 sch 1 (as am by Act 2002 No 49 amdt 3.222)

notified 19 September 1997 (Gaz 1997 No S264)
commenced 24 September 1997 (s 2 as am by Act 2002 No 49 amdt 3.222)

Legal Practitioners (Consequential Amendments) Act 1997 No 96 sch 1

notified 1 December 1997 (Gaz 1997 No S380)
s 1, s 2 commenced 1 December 1997 (s 2 (1))
sch 1 commenced 1 June 1998 (s 2 (2))

Statute Law Revision (Penalties) Act 1998 No 54 sch

notified 27 November 1998 (Gaz 1998 No S207)
 s 1, s 2 commenced 27 November 1998 (s 2 (1))
 sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

Legislation (Consequential Amendments) Act 2001 No 44 pt 190

notified 26 July 2001 (Gaz 2001 No 30)
 s 1, s 2 commenced 26 July 2001 (IA s 10B)
 pt 190 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2002 (No 2) No 49 amdt 3.222

notified LR 20 December 2002
 s 1, s 2 taken to have commenced 7 October 1994 (LA s 75 (2))
 amdt 3.222 commenced 24 September 1997 (s 2 (3))

Note This Act only amends the Remuneration Tribunal
 (Consequential Amendments) Act 1997 No 41.

Inquiries Amendment Act 2003 A2003-52

notified LR 3 December 2003
 s 1, s 2 commenced (LA s 75 (1))
 remainder commenced 4 December 2003 (s 2)

4 Amendment history**Commencement**

s 2 om 2001 No 44 amdt 1.2168

Interpretation for Act

s 3 def *legal practitioner* om 1997 No 96 sch 1

Act binds Crown

s 4 om 1993 No 44 sch 2

Remuneration and allowances

s 8 om 1997 No 41 sch 1

Staff

s 12 am 1994 No 38 sch 1 pt 47

General

div 3.1 hdg (prev pt 3 div 1 hdg) renum R4 LA

Presenting reports

s 14A ins 1996 No 19 s 4
 sub A2003-52 s 4

Endnotes

4 Amendment history

Chief Minister to explain non-presentation of report

s 14B ins A2003-52 s 4

Legal practitioner assisting boards

s 15 am 1997 No 96 sch 1

Nondisclosure of information by members etc

s 17 am 1997 No 96 sch 1; 1998 No 54 sch

Procedure

s 18 sub A2003-52 s 5

Search warrants

s 20 am 1994 No 10 s 6

Hearings

div 3.2 hdg (prev pt 3 div 2 hdg) renum R4 LA

Presence of persons at private hearings

s 24 am 1997 No 96 sch 1

Examination of witnesses

s 25 am 1997 No 96 sch 1

Power to summon witnesses and take evidence

s 26 am 1994 No 10 s 6

Proposed adverse comments in reports

s 26A ins A2003-52 s 6

Failure of witnesses to attend or produce documents

s 27 am 1998 No 54 sch

Refusal to be sworn or give evidence

s 28 am 1998 No 54 sch

False evidence

s 29 am 1998 No 54 sch

Improper dealings with documents

s 30 am 1998 No 54 sch

Intimidation or dismissal of witnesses

s 31 am 1994 No 10 s 6; 1998 No 54 sch

Preventing witnesses from attending

s 32 am 1998 No 54 sch

Bribery of witnesses

s 33 am 1998 No 54 sch

Fraud on witnesses

s 34 am 1998 No 54 sch

Contempt of boards

s 35 am 1998 No 54 sch

Dealing with certain offences summarily

s 36 am 1998 No 54 sch

Publication of published proceedings, reports and comments protected

s 38 sub A2003-52 s 7

Regulation-making power

s 40 sub 2001 No 44 amdt 1.2169

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 1994 No 38	28 February 1995
2	Act 1997 No 96	1 June 1998
3	Act 1998 No 54	28 February 1999
4	Act 2001 No 44	28 February 2002
4 (RI)‡	A2001-44	10 February 2003

‡ includes retrospective amendments by Act 2002 No 49

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