



AUSTRALIAN CAPITAL TERRITORY

## **Director of Public Prosecutions (Amendment) Act 1995**

No. 29 of 1995

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### **An Act to amend the *Director of Public Prosecutions Act 1990***

*[Notified in ACT Gazette S212: 5 September 1995]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Director of Public Prosecutions (Amendment) Act 1995*.

#### **Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Director of Public Prosecutions Act 1990*.<sup>1</sup>

#### **Functions**

4. Section 6 of the Principal Act is amended by inserting after paragraph (1) (gb) the following paragraph:

“(gc) making statements or providing information to particular persons, to the public or to particular sections of the public (whether about decisions taken and the reasons for those decisions, or otherwise)

relating to the exercise of powers or the performance of functions or duties under this Act;”.

**Insertion**

5. After section 33 of the Principal Act the following section is inserted:

**Legal immunity**

“33A. (1) No action, suit or proceeding lies against a person who is or has been—

- (a) the Director;
- (b) a member of the staff of the Office; or
- (c) a person acting under the direction or authority of the Director or a member of the staff of the Office;

in relation to an act done or omitted to be done in good faith in the exercise or purported exercise of a power, or the performance or purported performance of a function or duty, of the Director under this Act or any other law.

“(2) Subsection (1) does not affect any liability that the Territory would, but for that subsection, have in respect of an act or omission referred to in that subsection.”.

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**NOTE**

1. Reprinted as at 31 January 1995.

*[Presentation speech made in Assembly on 11 May 1995]*

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