



Australian Capital Territory

Bushfire Inquiry (Protection of Statements) Act 2003 No 13

Republication No 4

Effective: 9 October 2003 – 9 October 2003

Republication date: 9 October 2003

Last amendment made by A2003-41

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Bushfire Inquiry (Protection of Statements) Act 2003* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 9 October 2003. It also includes any amendment, repeal or expiry affecting the republished law to 9 October 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

Bushfire Inquiry (Protection of Statements) Act 2003

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R4
09/10/03

Bushfire Inquiry (Protection of Statements) Act 2003
Effective: 09/10/03-09/10/03

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Australian Capital Territory

Bushfire Inquiry (Protection of Statements) Act 2003

An Act to protect people making statements to 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, and for other purposes

1 Name of Act

This Act is the *Bushfire Inquiry (Protection of Statements) Act 2003*.

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4 Protection of statements to inquiry

- (1) It is a defence to an action for defamation in relation to the making of a statement to the inquiry, or the giving of a document or information to the inquiry, if the defendant establishes that the defendant made the statement to the inquiry, or gave the document or information to the inquiry.
- (2) For subsection (1)—
 - (a) a statement is made, and a document or information is given, to the inquiry if it is made or given to Mr McLeod, or a person assisting Mr McLeod, for the purposes of the inquiry; and
 - (b) it does not matter whether the statement is made, or the document or information is given, on request or on the defendant's own initiative.
- (3) The Territory, the Chief Minister, Mr McLeod, or a person acting under the direction of the Chief Minister or Mr McLeod, is not civilly liable for anything done honestly in relation to the preparation or making public of the report.
- (4) A person is not civilly liable for publishing honestly—
 - (a) the report, or a fair copy of the report, as made public; or
 - (b) a fair summary of, or a fair extract from, the report as made public.

(5) This section does not deprive a person of any defence the person might have relied on apart from this section.

(6) In this section:

defamation means libel or slander.

inquiry means 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.

published matter, in relation to an action against a defendant for the publication of matter that is or may be defamatory, means the matter published.

5 Expiry of Act

(1) This Act expires on 30 September 2003.

(2) However, the Minister may, in writing before 30 September 2003, determine a later date for the expiry of this Act.

(3) A determination under subsection (2) is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the Legislation Act.

(4) This Act is a law to which the Legislation Act, section 88 (Repeal does not end effect of transitional laws etc) applies.

Endnotes

1 About the endnotes

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

3 Legislation history

Bushfire Inquiry (Protection of Statements) Act 2003 A2003-13

notified LR 27 March 2003

taken to have commenced 22 February 2003 (s 2)

Note Act exp 9 October 2003 (see s 5 and DI2003-274)

as amended by

Bushfire Inquiry (Protection of Statements) Amendment Act 2003 A2003-25

notified LR 23 June 2003

s 1, s 2 commenced 23 June 2003 (LA s 75 (1))

remainder commenced 24 June 2003 (s 2)

Statute Law Amendment Act 2003 A2003-41 sch 3 pt 3.4

notified LR 11 September 2003

s 1, s 2 commenced 11 September 2003 (LA s 75 (1))

sch 3 pt 3.4 commenced 9 October 2003 (s 2 (1))

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Protection of statements to inquiry

s 4 am A2003-25 s 4, s 5; ss renum R2 LA (see A2003-25 s 6)

Expiry of Act

s 5 am A2003-41 amdt 3.18

Endnotes

5 Earlier republishings

5 Earlier republishings

Some earlier republishings 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 republishings have also been published in printed format. These republishings are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 27 Mar 2003	27 Mar 2003- 23 June 2003	not amended	new Act
R2 24 June 2003	24 June 2003- 29 Sept 2003	A2003-25	amendments by A2003-25
R3 30 Sept 2003	30 Sept 2003- 8 Oct 2003	<u>A2003-41</u>	extended date of expiry by DI2003-274

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