

1990
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

**Royal Commissions and Inquiries
(Consequential Provisions) Bill 1990**

A BILL

FOR

An Act to repeal the *Enquiry Act 1938* and to make certain amendments consequent on the making of the *Royal Commissions Act 1990* and the *Inquiries Act 1990*

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

Short title

- 5 1. This Act may be cited as the *Royal Commissions and Inquiries (Consequential Provisions) Act 1990*.

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.
(2) The remaining provisions commence on the day on which the
10 provisions (other than sections 1 and 2) of the *Inquiries Act 1990* commence.

Repeal

3. The *Enquiry Act 1938* is repealed.

16061/90—(T79/90) Cat. No. 90 5438 2

205/7.12.1990

Consequential amendments

4. The Acts specified in the Schedule are amended as set out in the Schedule.

SCHEDULE

Section 4

Administrative Decisions (Judicial Review) Act 1989

Schedule 1—

Add at the end the following:

“This Act does not apply to decisions made under the following enactments:

Inquiries Act 1990;

Royal Commissions Act 1990.”

Electricity Act 1971

Subsection 28 (2)—

(a) Omit “Board of Enquiry”, substitute “Board of Inquiry”.

(b) Omit “*Enquiry Act 1938-1970*”, substitute “*Inquiries Act 1990*”.

Ombudsman Act 1989

Subsection 3 (1) (paragraph (a) of the definition of “prescribed authority”)—

Omit the paragraph, substitute the following paragraph:

“(a) a body corporate, or an unincorporated body, established for a public purpose by, or in accordance with the provisions of, an enactment, other than—

(i) an incorporated company or association; or

(ii) a body that, under subsection (2) or the regulations, is not a prescribed authority for the purposes of this Act;”.

Subsection 5 (2)—

After paragraph (2) (c) insert the following paragraphs:

“(ca) action taken by a Royal Commission under the *Royal Commissions Act 1990*;

(cb) action taken by a Board of Inquiry under the *Inquiries Act 1990*;”.

SCHEDULE—continued

Parole Act 1976

Subsection 16 (1)—

- (a) Insert “or she” after “he” (wherever occurring).
- (b) Omit “Board of Enquiry”, substitute “Board of Inquiry”.
- (c) Omit “*Enquiry Act 1938-1970*”, substitute “*Inquiries Act 1990*”.

Subsection 16 (2)—

- (a) Omit “*Enquiry Act 1938-1970*”, substitute “*Inquiries Act 1990*”.
- (b) Omit “Board of Enquiry”, substitute “Board of Inquiry”.

Remand Centres Act 1976

Subparagraph 15 (1) (g) (iv)—

Omit “and” (last occurring).

Subsection 15.(1)—

Add at the end the following paragraph:

- “(i) a person apprehended pursuant to a warrant issued under section 35 of the *Royal Commissions Act 1990*.”.