

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY**

INQUIRIES AMENDMENT BILL 2000

EXPLANATORY MEMORANDUM

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Explanatory Memorandum

OUTLINE

This is an amending Bill. It amends the *Inquiries Act 1991*, referred to in the amending Bill as the Principal Act.

This amending Bill compels the Executive to implement the majority will of the Legislative Assembly when a resolution is passed calling on the Executive to exercise its power under the *Inquiries Act 1991* to appoint a board of inquiry to inquire into the matter stated in the resolution.

Under existing provisions, the Executive can choose to resist resolutions of the Legislative Assembly. This amending Bill aims to ensure the majority will of the Legislative Assembly is executed.

FORMAL CLAUSES

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement and definition of the Principal Act.

CIRCUMSTANCES WHEN AN INQUIRY MUST BE ESTABLISHED

The aim of **clause 4** is to ensure the Executive appoints a board of inquiry consistent with the majority will of the Legislative Assembly within 21 days after the resolution is passed and that the Executive must fix the reporting date stated in the motion.

TABLING OF REPORTS

Clause 5 sets out the procedures for tabling of reports after a board of inquiry has submitted its findings to the Chief Minister. The report must be presented to the Legislative Assembly within 5 sitting days after the report is received by the Chief Minister.

In the instance that the Chief Minister is satisfied that the contents of the report contains information that should not be made public, there are two options. Firstly, the Chief Minister can forward the report to the relevant Legislative Assembly Standing Committee within 14 days of receiving the document. Alternatively the Chief Minister can give the confidential part of the report to the relevant Legislative Assembly Standing Committee within 14 days of receiving the report and present the rest of the report to the Legislative Assembly within 5 sitting days of receiving the report.