



Australian Capital Territory

Inquiries Act 1991

A1991-2

Republication No 9

Effective: 1 July 2011 – 31 August 2016

Republication date: 1 July 2011

Last amendment made by [A2011-22](#)

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 1 July 2011. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 1 July 2011.

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, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

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 the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$110 for an individual and \$550 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

Inquiries Act 1991

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Australian Capital Territory

Inquiries Act 1991

An Act relating to inquiries

Part 1 Preliminary

1 Name of Act

This Act is the *Inquiries Act 1991*.

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

3 Notes

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

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

4 Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

Note 1 *Criminal Code*

The [Criminal Code](#), ch 2 applies to an offence against this Act, s 36 (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 *Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

Part 2 Boards of inquiry

5 Appointment of board of inquiry

The Executive may appoint 1 or more people as a board of inquiry to inquire into a matter stated in the instrument of appointment.

Note For the making of appointments, see the [Legislation Act](#), pt 19.3.

6 Members

(1) If a board is constituted by 2 or more people, the Executive must appoint 1 of those people to be the chairperson.

(2) If—

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

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

the remaining members constitute the board.

(3) If—

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

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

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

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 the 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.

Note A member's appointment also ends if the person resigns (see [Legislation Act](#), s 210).

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 must be public servants made available to the board by the director-general.
- (2) While a public servant is performing services for a board, he or she must 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 must be conducted in such manner as the board determines.

14 Reports of boards

- (1) After completing an inquiry, a board must—
 - (a) prepare a report of the inquiry; and
 - (b) submit the report to the Chief Minister.
- (2) A report must be submitted to the Chief Minister—
 - (a) if the Executive has fixed a date for submission of the report—on or before that date; or
 - (b) if 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 must 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 month after the day the report is submitted by the board to the Chief Minister—1 month after the day the report is submitted; or
 - (ii) if there is no sitting day within 1 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 Lawyer assisting boards

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

16 Protection of members etc

- (1) A member has, in the exercise of any function 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 lawyer 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 subpoenaed 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 lawyer assisting a board must not, either directly or indirectly, except in the exercise of a function 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 provided 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 Privileges against selfincrimination and exposure to civil penalty

- (1) This section applies if a person is required under section 26 (1) or (3) to—
 - (a) produce a document or other thing; or
 - (b) answer a question.
- (2) The person cannot rely on the common law privileges against selfincrimination and exposure to the imposition of a civil penalty to refuse to produce the document or other thing or answer the question.

Note The [Legislation Act](#), s 171 deals with client legal privilege.

- (3) However, any information, document or other thing obtained, directly or indirectly, because of the producing of the document or other thing, or the answering of the question, is not admissible in evidence against the person in a civil or criminal proceeding, other than a proceeding for—
 - (a) an offence in relation to the falsity or the misleading nature of the document, other thing or answer; or
 - (b) an offence against the [Criminal Code](#), chapter 7 (Administration of justice offences).

20 Search warrants

- (1) The chairperson may issue a search warrant if—
 - (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 must 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 must—
- (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 end 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 must deliver the thing so seized to the board.
- (6) A person executing a search warrant must, 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 must be in public.
- (3) If 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 must take place in private and give directions as to the people 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 people 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 must 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 people present at the hearing, but must 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 must preside at a hearing.

23 Conduct of hearing

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

24 Presence of people at private hearings

If a hearing is being held in private, a person must 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 lawyer 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 lawyer assisting the board; or
- (b) any other person present who is permitted by the chairperson to do so;

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

26 Powers in relation to witnesses etc

- (1) The chairperson of a board, or a person authorised in writing by the chairperson, may, by written notice given to a person (a *subpoena*), require the person to appear before the board at a hearing, at a stated time and place, to do either or both of the following:
 - (a) to give evidence;
 - (b) to produce a stated document or other thing relevant to the hearing.
- (2) A person is taken to have complied with a subpoena under subsection (1) (b) if the person gives the document or other thing to the board before the date stated in the subpoena for its production.
- (3) The chairperson may require a witness appearing before the board at a hearing to give evidence to do 1 or more of the following:
 - (a) to take an oath;
 - (b) to answer a question relevant to the hearing;

- (c) to produce a stated document or other thing relevant to the hearing.

Note **Oath** includes affirmation and **take** an oath includes make an affirmation (see [Legislation Act](#), dict, pt 1).

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 Miscellaneous

35 Application of Criminal Code, ch 7

An inquiry is a legal proceeding for the [Criminal Code](#), chapter 7 (Administration of justice offences).

Note That chapter includes offences (eg perjury, falsifying evidence, failing to attend and refusing to be sworn) applying in relation to board proceedings.

36 Contempt of board

A person commits an offence if the person does something in the face, or within the hearing, of a board that would be contempt of court if the board were a court of record.

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

37 Delegation by board

A board may delegate any of its functions under this Act with the written consent of the Chief Minister.

Note For the making of delegations and the exercise of delegated functions, see the [Legislation Act](#), pt 19.4.

38 Publication of published proceedings, reports and comments protected

- (1) The proceedings of a board of inquiry are taken to be proceedings of public concern for the [Civil Law \(Wrongs\) Act 2002](#), section 139 (Defences of fair report of proceedings of public concern).
- (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 138 (Defence for publication of public documents).

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 A regulation must be notified, and presented to the Legislative Assembly, under the *Legislation Act*.

Dictionary

(see s 2)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- director-general (see s 163)
- Executive
- exercise
- function
- month
- under.

authorised person means a person declared in writing by the chairperson to be an authorised person 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—

- (a) the chairperson of a board appointed under section 6 (1) or (3);
or
- (b) for a board constituted by 1 person—that person.

member means—

- (a) for a board constituted by 1 person—that person; or
- (b) for a board constituted by 2 or more people—each of those people.

premises includes—

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

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.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

Inquiries Act 1991 A1991-2

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 A1993-44 sch 2](#)

notified 27 August 1993 ([Gaz 1993 No S165](#))

sch 2 commenced 27 August 1993 (s 2)

[Judicial Commissions \(Consequential Amendments\) Act 1994 A1994-10 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 A1994-38 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 A1996-19](#)

notified 27 May 1996 ([Gaz 1996 No S93](#))

commenced 27 May 1996 (s 2)

[Remuneration Tribunal \(Consequential Amendments\) Act 1997 A1997-41 sch 1 \(as am by A2002-49 amdt 3.222\)](#)

notified 19 September 1997 ([Gaz 1997 No S264](#))

commenced 24 September 1997 (s 2 as am by [A2002-49 amdt 3.222](#))

[Legal Practitioners \(Consequential Amendments\) Act 1997 A1997-96 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 A1998-54 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 A2001-44 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) A2002-49 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 A1997-41](#) .

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)

Criminal Code (Administration of Justice Offences) Amendment Act 2005 A2005-53 sch 1 pt 1.14

notified LR 26 October 2005

s 1, s 2 commenced 26 October 2005 (LA s 75 (1))

sch 1 pt 1.14 commenced 23 November 2005 (s 2)

Statute Law Amendment Act 2006 A2006-42 sch 3 pt 3.12

notified LR 26 October 2006

s 1, s 2 taken to have commenced 12 November 2005 (LA s 75 (2))

sch 3 pt 3.12 commenced 16 November 2006 (s 2 (1))

Endnotes

4 Amendment history

Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.83

notified LR 30 June 2011

s 1, s 2 commenced 30 June 2011 (LA s 75 (1))

sch 1 pt 1.83 commenced 1 July 2011 (s 2 (1))

4 Amendment history

Name of Act

s 1 sub [A2006-42](#) amdt 3.59

Dictionary

s 2 om [A2001-44](#) amdt 1.2168
ins [A2006-42](#) amdt 3.60

Notes

s 3 **orig s 3**
om [A2006-42](#) amdt 3.60
def **authorised person** om [A2006-42](#) amdt 3.60
def **board** om [A2006-42](#) amdt 3.60
def **chairperson** om [A2006-42](#) amdt 3.60
def **legal practitioner** om [A1997-96](#) sch 1
def **member** om [A2006-42](#) amdt 3.60
def **premises** om [A2006-42](#) amdt 3.60
pres s 3
(prev s 4) ins [A2005-53](#) amdt 1.71
renum as s 3 [A2006-42](#) amdt 3.61

Offences against Act—application of Criminal Code etc

s 4 **orig s 4**
om [A1993-44](#) sch 2
prev s 4
renum as s 3
pres s 4
(prev s 4A) ins [A2005-53](#) amdt 1.71
renum as s 4 [A2006-42](#) amdt 3.61

Offences against Act—application of Criminal Code etc

s 4A renum as s 4

Appointment of board of inquiry

s 5 sub [A2006-42](#) amdt 3.62

Members

s 6 am [A2006-42](#) amdt 3.63, amdt 3.76

Remuneration and allowances

s 8 om [A1997-41](#) sch 1

Cessation of office

s 9 am [A2006-42](#) amdt 3.64

Resignation

s 10 om [A2006-42](#) amdt 3.65

Staff

s 12 am [A1994-38](#) sch 1 pt 47; [A2011-22](#) amdt 1.256

General

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

Presenting reports

s 14A ins [A1996-19](#) s 4
sub [A2003-52](#) s 4

Chief Minister to explain non-presentation of report

s 14B ins [A2003-52](#) s 4
am [A2006-42](#) amdt 3.66

Lawyer assisting boards

s 15 hdg am [A2006-42](#) amdt 3.75
s 15 am [A1997-96](#) sch 1; [A2006-42](#) amdt 3.75

Protection of members etc

s 16 am [A2005-53](#) amdt 1.72; [A2006-42](#) amdt 3.67, amdt 3.75

Nondisclosure of information by members etc

s 17 am [A1997-96](#) sch 1; [A1998-54](#) sch; [A2006-42](#) amdt 3.68, amdt 3.69, amdt 3.75

Procedure

s 18 sub [A2003-52](#) s 5

Privileges against selfincrimination and exposure to civil penalty

s 19 sub [A2005-53](#) amdt 1.73

Search warrants

s 20 am [A1994-10](#) s 6

Hearings

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

Power to hold

s 21 am [A2006-42](#) amdt 3.76

Conduct of hearing

s 23 sub [A2006-42](#) amdt 3.70

Presence of people at private hearings

s 24 hdg am [A2006-42](#) amdt 3.76
s 24 am [A1997-96](#) sch 1; [A2006-42](#) amdt 3.75

Endnotes

4 Amendment history

Examination of witnesses

s 25 am [A1997-96](#) sch 1; [A2006-42](#) amdt 3.75

Powers in relation to witnesses etc

s 26 am [A1994-10](#) s 6
sub [A2005-53](#) amdt 1.74
(4), (5) exp 23 November 2006 (s 26 (5))

Proposed adverse comments in reports

s 26A ins [A2003-52](#) s 6

Offences

pt 4 hdg orig pt 4 hdg om [A2005-53](#) amdt 1.75

Failure of witnesses to attend or produce documents

s 27 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Refusal to be sworn or give evidence

s 28 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

False evidence

s 29 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Improper dealings with documents

s 30 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Intimidation or dismissal of witnesses

s 31 am [A1994-10](#) s 6; [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Preventing witnesses from attending

s 32 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Bribery of witnesses

s 33 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Fraud on witnesses

s 34 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

Miscellaneous

pt 4 hdg orig pt 4 hdg om [A2005-53](#) amdt 1.75
(prev pt 5 hdg) renum [A2005-53](#) amdt 1.77

Application of Criminal Code, ch 7

s 35 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75

ins [A2005-53](#) amdt 1.76

Contempt of board

s 36 am [A1998-54](#) sch
om [A2005-53](#) amdt 1.75
ins [A2005-53](#) amdt 1.76

Delegation by board

s 37 sub [A2006-42](#) amdt 3.71

Publication of published proceedings, reports and comments protected

s 38 sub [A2003-52](#) s 7
am [A2006-42](#) amdt 3.72, amdt 3.73

Regulation-making power

s 40 sub [A2001-44](#) amdt 1.2169

Miscellaneous

pt 5 hdg renum as pt 4 hdg

Dictionary

dict ins [A2006-42](#) amdt 3.74
am [A2011-22](#) amdt 1.257
def **authorised person** ins [A2006-42](#) amdt 3.74
def **board** ins [A2006-42](#) amdt 3.74
def **chairperson** ins [A2006-42](#) amdt 3.74
def **member** ins [A2006-42](#) amdt 3.74
def **premises** ins [A2006-42](#) amdt 3.74

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. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R0A 2 Feb 2006	27 Aug 1993– 13 Mar 1994	A1993-44	amendments by A1993-44
R0B 2 Feb 2006	14 Mar 1994– 30 June 1994	A1994-10	amendments by A1994-10

Endnotes

5 Earlier republications

Republication No and date	Effective	Last amendment made by	Republication for
R1 28 Feb 1995	1 July 1994– 26 May 1996	A1994-38	amendments by A1994-38
R1 (RI) 2 Feb 2006	1 July 1994– 26 May 1996	A1994-38	reissue of printed version
R1A 2 Feb 2006	27 May 1996– 23 Sept 1997	A1996-19	amendments by A1996-19
R1B 2 Feb 2006	24 Sept 1997– 31 May 1998	A1997-41	amendments by A1997-41 and includes retrospective amendments by A2002-49
R2 1 June 1998	1 June 1998– 8 Dec 1998	A1997-96	amendments by A1997-96
R2 (RI) 2 Feb 2006	1 June 1998– 8 Dec 1998	A1997-96	reissue of printed version
R3 28 Feb 1999	9 Dec 1998– 11 Sept 2001	A1998-54	amendments by A1998-54
R3 (RI) 2 Feb 2006	9 Dec 1998– 11 Sept 2001	A1998-54	reissue of printed version and includes retrospective amendments by A2002-49
R4 28 Feb 2002	28 Feb 2002– 3 Dec 2003	A2001-44	amendments by A2001-44
R4 (RI) 10 Feb 2003	28 Feb 2002– 3 Dec 2003	A2002-49	reissue for retrospective amendments by A2002-49
R5 4 Dec 2003	4 Dec 2003– 22 Nov 2005	A2003-52	amendments by A2003-52
R6 23 Nov 2005	23 Nov 2005– 15 Nov 2006	A2005-53	amendments by A2005-53
R7 16 Nov 2006	16 Nov 2006– 23 Nov 2006	A2006-42	amendments by A2006-42

Republication No and date	Effective	Last amendment made by	Republication for
R8 24 Nov 2006	24 Nov 2006– 30 June 2011	A2006-42	commenced expiry

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