

FACT SHEET

INTEGRITY COMMISSION AMENDMENT BILL 2011

This Bill corrects anomalies and clarifies the operation of the *Integrity Commission Act 2009*.

The major amendments made by the Bill are to:

- ensure that the definition of “investigator” (s 4) includes investigators appointed under any of the sections providing for their appointment (section 45 (own motion investigations) and for the purposes of sections 88 (take-over of police integrity investigations) and 89 (own motion investigations of police officers));
- clarify that the powers of investigators and of the Tribunal in relation to the investigation of complaints apply also to own motion investigations and other matters the Tribunal may or must investigate;
- ensure provisions relating to the reporting back by investigators to the CEO or the CEO to the Board include appropriate recommendations in relation to own motion investigations;
- ensure that persons who are or become the subject of own motion investigations have the same rights as person subject to complaint investigations;
- align subsections (1) and (2) of section 45 to match the scope of investigations to the decisions of the Board;
- amend section 58 (which covers outcomes of investigations) to cover the CEO’s recommendation under section 35(1)(d) (prior to investigation);
- ensure that the non-disclosure provisions of section 98 which apply to notices and other matters under various sections are effective and also apply to persons to whom the information may have been passed; and
- allow anonymous complaints to be accepted for assessment and possible investigation.