

FACT SHEET

Commissions of Inquiry Amendment Bill 2013

The Bill amends the *Commissions of Inquiry Act 1995* to facilitate concurrent operation of the Tasmanian Commission of Inquiry with the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse.

The Bill:

- (a) Inserts a provision modelled on amendments to the Commonwealth *Royal Commission Act 1902* earlier this year giving the Chair of the Commission the ability to authorise one or more Commissioners to hold hearings with the same powers and protections as if the evidence was given in front of the full Commission of Inquiry and makes consequential definitional changes;
- (b) Inserts a definition of “counsel” in section 3 to clarify that the term refers to an Australian legal practitioner within the meaning the *Legal Profession Act 2007*; and
- (c) Provides that the *Personal Information Protection Act 2004* and specified other provisions do not apply in relation to any information collected for communication to or communicated to the Commission of Inquiry; and
- (d) Inserts a new section modelled on section 6P of the Commonwealth *Royal Commissions Act 1902* which provides that where, in the course of inquiring into a matter, a Commission obtains information or evidence that relates to a contravention of a law the Commission may, if it considers it is appropriate so to do, communicate the information or evidence to the relevant law enforcement authority or, if the material is relevant to a Commission in another Australian jurisdiction, that other Commission; and
- (e) Provides that the amendments will apply from the 4 March 2013, the date of the appointment of the Tasmanian Commission of Inquiry into Institutional Responses to Child Sexual Abuse.