

## CLAUSE NOTES

### Commissions of Inquiry Amendment (Private Sessions Information) Bill 2025

**Clause 1      Short title**

Specifies the name of the proposed Act.

**Clause 2      Commencement**

Provides for the Act to have commenced on 1 March 2021.

**Clause 3      Principal Act**

Provides that the Principal Act being amended by this Act is the *Commissions of Inquiry Act 1995*.

**Clause 4      Section 19C amended (Offences relating to private sessions)**

This section expands section 19C of the Principal Act with one new subsection. The new subsection 19C(2)(da) expands on the current list of exceptions provided for in section 19C(2) to the offence of a person recording, using or disclosing private sessions information provided for in section 19C(1).

The new subsection 19C(2)(da):

- operates to ensure that private sessions information can be disclosed back to the person who gave the information for the purposes of the private session, without obtaining the consent of each person referred to in the information;
- provides that it is not an offence if private sessions information is recorded or used by, or disclosed to, a person if it relates to a part of a private session where the person appeared, or where information provided by the person was provided to the Commission and the information does not disclose the identity, or lead to the identification of, any other person appearing at the private session, without the consent of the other person; and
- ensures that participants can receive a full record of their engagement in a private session – including any statements or information made available to them – while also protecting the identity of any potential co-participant in the private session. If the co-participant does not consent to the record, use or disclosure of the information, their identity will be redacted.

**Clause 5      Repeal of Act**

Provides that the *Commissions of Inquiry Amendment (Private Sessions Information) Act 2025* is repealed on the first anniversary of the day on which it received Royal Assent.