

EVIDENCE.

3 ELIZ. II.
No. 38.
THE
COMMISSIONS
OF INQUIRY
ACT
AMENDMENT
ACT OF 1954.

An Act to Amend "The Commissions of Inquiry Act of 1950", in certain particulars.

[ASSENTED TO 18TH NOVEMBER, 1954.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. (1.) This Act may be cited as "*The Commissions of Inquiry Act Amendment Act of 1954.*"

Principal Act.

(2.) *"*The Commissions of Inquiry Act of 1950*" is in this Act referred to as the Principal Act.

Collective title.

(3.) The Principal Act and this Act may be collectively cited as "*The Commissions of Inquiry Acts, 1950 to 1954.*"

New s. 4A inserted.

2. The following section is inserted after section four of the Principal Act, namely:—

When certain other inquiries not to be held.

"[4A.] (1.) Whenever, by a Commission of Inquiry issued by the Governor, by and with the advice of the Executive Council of this State, under his hand and the Public Seal of the State—

(a) A Commission constituted by a Judge of the Supreme Court, or whereof such a Judge is Chairman, is appointed to make an inquiry; and

(b) The matter or matters into or with respect to which that inquiry is to be made includes or include any matter or matters, or the making directly or indirectly of inquiry into or with respect to any matter or matters, into or with respect to which a court, tribunal, warden, coroner, justice or other person (other than the Supreme Court or the Industrial Court of Queensland and other than a Judge of the Supreme Court or a member of the said Industrial Court) is

* 15 G. 6 No. 2.

1954.

Commissions of Inquiry, Etc., Act.

required or authorised under or pursuant to any enactment or law of this State to inquire,

then that court, tribunal, warden, coroner, justice or other person shall have no jurisdiction to and shall not make, continue or proceed with that inquiry thereinto.

(2.) The Attorney-General may inform a court, tribunal, warden, coroner, justice or other person that the Governor in Council has under consideration the matter of the issue of such a Commission of Inquiry as is specified in sub-section one of this section to make an inquiry the matter or matters whereof will include—

(a) Any matter or matters; or

(b) The making directly or indirectly of inquiry into or with respect to any matter or matters,

into or with respect to which that court, tribunal, warden, coroner, justice or other person is required or authorised under or pursuant to any enactment or law of this State to inquire.

The Attorney-General may so inform any of the aforesaid by his agent, by prepaid post letter, or by telegram.

The information shall be sufficiently given to a court or tribunal if it is given in any manner aforesaid to the registrar or clerk thereof or the person by whom it may be constituted, or, if it may be constituted by two or more persons, any of them.

Upon being informed as aforesaid a court, tribunal, warden, coroner, justice, or other person shall have no jurisdiction to and shall not make, continue or proceed with the inquiry to which the information relates during the period of one month next following the giving of the information or, if the Commission of Inquiry is issued before the expiration of that period, at all.

(3.) A certificate by the Attorney-General stating that the matter or matters into or with respect to which inquiry is to be, is being, or has been made

Commissions of Inquiry, Etc., Act. 3 ELIZ. II. No. 38, 1954.

pursuant to such a Commission of Inquiry as is specified in sub-section one of this section includes or include—

- (a) Any matter or matters; or
- (b) The making directly or indirectly of inquiry into or with respect to any matter or matters,

as specified in that certificate into or with respect to which the court, tribunal, warden, coroner, justice or other person mentioned in that certificate is required or authorised under or pursuant to the enactment or law of this State referred to in that certificate to inquire shall be admissible in evidence and shall be conclusive proof of all and every the matters aforesaid certified to therein.

Such a certificate may be published in the *Gazette* and thereupon and thereby shall be deemed to have been put in evidence before a court, tribunal, warden, coroner, justice or other person affected thereby (whether mentioned therein or not) and shall bind that court, tribunal, warden, coroner, justice or other person accordingly.

(4.) This section applies with respect to an inquiry by a court, tribunal, warden, coroner, justice or other person whether commenced before or after the issue of the relevant Commission of Inquiry, and applies with respect to any such inquiry which was commenced before the passing of **“The Commissions of Inquiry Act Amendment Act of 1954.”*

* This Act.

FACTORIES AND SHOPS.

See LABOUR.