

Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009

Clause and Explanatory Notes

Introduction

Short title of the Bill

The short title of the Bill is the *Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009*

Objective of the Bill

The objective of the Bill is to amend the Commissions of Inquiry Act 1950 for particular purposes.

Reasons for the Bill

The Bill is being introduced because of the Bligh Labor Governments refusal to establish an independent Commission of Inquiry into allegations of corruption, cronyism and unethical behaviour by this Labor Government over the past 11 years.

Achievement of the Bill

The Bill achieves its objectives by establishing a timeframe for which, if passed through Parliament, a Royal Commission is to be established. The Bill also outlines the complete terms of reference for which the Commission of Inquiry is to report on.

Fundamental legislative principals

Clause 1- The short title of the Bill, as it may be referred to, *Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Act 2008*

Clause 2- The Act amended is the Commissions of Inquiry Act 1950.

Clause 3- Inserts a new section 35. Under this section once enacted the Attorney General has 21 days to advise the Governor to establish a Commission of Inquiry into corruption, cronyism and the unethical behaviour surrounding the Labor Government in Queensland between 1998 and 2009.

Subclause 2 outlines the requirements of the person constituted to head the inquiry.

Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour)
Amendment Bill 2009

Subclause 3 provides an alternate option if the Attorney General can not locate a person as outlined in subclause 2. The Attorney General must consult with the Bar Association of Queensland to nominate a member of the association who is a barrister of the Supreme Court of at least five years standing.

Subclause 4 provides for the Commission to be constituted if subclause 3 applies.

Subclause 5 gives the Governor the power to establish the Commission of Inquiry on advice of the Attorney General.

Subclause 6 provides that a Commission of Inquiry established under this section is a Commission of Inquiry as per section 4(1) of the Act.

Subclause 7 outlines the terms of reference for which the Commission of Inquiry may inquire into. Subclause (7)(i) provides that any matter not listed in (a) to (h) that the Commissioner considers worthy of investigation may also be considered for the purpose of the inquiry.