

TASMANIA

COMMISSIONS OF INQUIRY REGULATIONS 2021
STATUTORY RULES 2021, No. 52

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COMMISSIONS OF INQUIRY REGULATIONS 2021

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Commissions of Inquiry Act 1995*.

Dated 12 July 2021.

B. BAKER
Governor

By Her Excellency's Command,

ELISE ARCHER
Minister for Justice

1. Short title

These regulations may be cited as the
Commissions of Inquiry Regulations 2021.

2. Commencement

These regulations take effect on the day on
which their making is notified in the *Gazette*.

3. Interpretation

In these regulations –

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Act means the *Commissions of Inquiry Act 1995*;

Child Abuse Commission of Inquiry means the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings, as established under the Act on 15 March 2021.

4. Certain Acts do not apply

- (1) For the purposes of the Child Abuse Commission of Inquiry, the following provisions do not apply in respect of any information to be collected by or on behalf of, or provided to, the Child Abuse Commission of Inquiry:
- (a) section 16 of the *Children, Young Persons and Their Families Act 1997*;
 - (b) section 8 of the *Corrections Act 1997*;
 - (c) section 24(1) of the *Custodial Inspector Act 2016*;
 - (d) section 86 of the *Guardianship and Administration Act 1995*;
 - (e) section 37 of the *Health Complaints Act 1995*;
 - (f) section 216 of the *Health Practitioner Regulation National Law (Tasmania)*;
 - (g) section 54 of the *Health Practitioners Tribunal Act 2010*;

- (h) section 12(1) of the *Magistrates Court (Children's Division) Act 1998*;
 - (i) section 134 of the *Mental Health Act 2013*;
 - (j) section 15 of the *Obstetric and Paediatric Mortality and Morbidity Act 1994*;
 - (k) section 26(1) of the *Ombudsman Act 1978*;
 - (l) all provisions of the *Personal Information Protection Act 2004*;
 - (m) section 42(4) and (11) of the *Police Service Act 2003*;
 - (n) section 54 of the *Registration to Work with Vulnerable People Act 2013*;
 - (o) section 9(6), (7) and (14) of the *State Service Act 2000*;
 - (p) section 14(3) of the *Tasmanian Health Service Act 2018*;
 - (q) section 22D of the *Teachers Registration Act 2000*;
 - (r) section 22(1)(b) and (c) of the *Youth Justice Act 1997*.
- (2) For the purposes of the Child Abuse Commission of Inquiry, the following provisions do not apply in respect of any information

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collected, or used, by or on behalf of the Child Abuse Commission of Inquiry:

- (a) section 8(b) of the *Custodial Inspector Act 2016*;
- (b) the provisions within Division 5 of Part 3 of the *Education Act 2016*;
- (c) sections 26, 45(2) and 46 of the *Health Complaints Act 1995*;
- (d) the provisions of the *Ombudsman Act 1978*;
- (e) all provisions of the *Personal Information Protection Act 2004*;
- (f) all provisions of the *Right to Information Act 2009*.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 14 July 2021.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations prescribe, for the purposes of the *Commissions of Inquiry Act 1995*, certain provisions of specified Acts as provisions that do not apply in respect of information collected by, provided to or otherwise held by the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings established under that Act.