

Queensland



Evidence Act 1977

EVIDENCE REGULATION 1993

**Reprinted as in force on 7 April 1998
(includes amendments up to SL No. 64 of 1998)**

Reprint No. 2B

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Information about this reprint

This regulation is reprinted as at 7 April 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



EVIDENCE REGULATION 1993

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EVIDENCE REGULATION 1993

[as amended by all amendments that commenced on or before 7 April 1998]

Short title

1. This regulation may be cited as the *Evidence Regulation 1993*.

Fee for inspecting etc. a document (s.134A(2) of the Act)

2.(1) The prescribed fee for inspecting a document and taking a copy of, or an extract from, the document is the sum of—

- (a) an amount calculated under subsection (2) for inspecting the document; and
- (b) an amount (if any) calculated under subsection (3) for providing a copy of the document.

(2) The amount payable for inspecting a document is—

- (a) if the document is an article or material from which sounds or visual images are capable of being reproduced—the amount that the agency considers to be reasonable for making arrangements to hear or view the document; or
- (b) in any other case—\$30 per hour, or part of an hour.

(3) The amount payable for providing a copy of the document is—

- (a) if a copy is provided by giving a photocopy in A4 size—50 cents for each page of the copy; or
- (b) in any other case—the amount that the agency considers to be reasonable.

(4) An amount mentioned in subsection (2)(a) or (3)(b) must not be more than the amount that reasonably reflects the cost of making the arrangements or providing the copy.

Persons and bodies declared not to be an agency

3. Each of the following persons or bodies is declared not to be an agency for the purposes of the definition “agency” in section 134A(7) of the Act—

- (a) the Governor;
- (b) the Legislative Assembly, a member of the Legislative Assembly, a committee of the Legislative Assembly, a member of a committee of the Legislative Assembly, a parliamentary commission of inquiry or a member of a parliamentary commission of inquiry;
- (c) the Parliamentary Judges Commission of Inquiry appointed under the *Parliamentary (Judges) Commission of Inquiry Act 1988*;
- (d) the Parliamentary Service Commission established by the *Parliamentary Service Act 1988*;
- (e) in the exercise of judicial functions—
 - (i) a court; or
 - (ii) the holder of a judicial office or other office connected with a court;
- (f) a registry or other office of a court, or the staff of a registry or other office of a court in their official capacity, so far as its or their functions relate to the court’s judicial functions;
- (g) the Litigation Reform Commission established by the *Supreme Court of Queensland Act 1991*;
- (h) the Fitzgerald commission of inquiry, that is, the commission of inquiry that is “the Commission” within the meaning of the *Commission of Inquiry Continuation Act 1989*;
- (i) another commission of inquiry issued by the Governor in Council;
- (j) an agency in relation to a document that has originated with, or has been received from, the Australian Secret Intelligence Service, the Australian Security Intelligence Organisation, the Inspector-General of Intelligence and Security or the Office of

National Assessments, or the Defence Signals Directorate or the Joint Intelligence Organisation of the Commonwealth Department of Defence;

- (k) Queensland Industry Development Corporation in relation to its investment functions;
- (l) Queensland Investment Corporation;
- (m) Queensland Treasury Corporation in relation to its borrowing, liability and asset management related functions;
- (n) wholly owned subsidiaries (within the meaning of the Corporations Law) of Queensland Treasury Corporation in relation to their commercially competitive activities;
- (o) Suncorp Insurance and Finance;
- (p) the Health Rights Commissioner, or a person appointed as a conciliator under section 75 of the *Health Rights Commission Act 1991*, in relation to the conciliation of health service complaints under Part 6 of that Act;
- (q) the Australian Financial Institutions Commission established under the *Australian Financial Institutions Commission Act 1992*;
- (r) a parents and citizens association formed under the *Education (General Provisions) Act 1989*;
- (s) a public grammar school to which the *Grammar Schools Act 1975* applies.

Approved machines

4. The machines in the schedule are approved machines for section 107 of the Act.

SCHEDULE

APPROVED MACHINES

section 4

Alos Planetary Recorder 26 16mm Microfilm Camera

AM Bruning Self Processing Step and Repeat Camera, models 750 and 2001

Bell and Howell ABR System 100 Planetary Microfilm Recorder (Camera)

Bell and Howell Classic Microfilm Recorder

Bell and Howell Microfilm Recorder, models Director I-505A and 205G, and Tabtronic 575

Buic 3400 16mm Simplex Flow Microfilm Camera

Canon 16mm Planetary Camera, model CF100

Canon Microfilmer, model 161 A

Canon Processor Camera, model 161 G(A)

Canon Rotary Camera, model 800DDS

Canon Rotary Filmer, models 300 and 450

Canon Rotary Processor Camera, model 700P

Filemaster Planetary Recorder, models 515A and 515-II

Filemaster Rotary Recorder, model 524A

Fuji FMAC 500L Planetary Roll Film Camera

Fuji Micle 2200 Microfilm Processor Camera

Fuji Micle 2204F Processor Camera

Fuji Microfilm Camera, models M2, L2 and S2

Fuji SR 2000 Microfilm Processor Camera

Image Systems Incorporated model 701 Step and Repeat Camera

SCHEDULE (continued)

Intercom Rotary Recorder, model 522A

Itek Microfilm Camera, models PD1400 and 3536

Jacknau SB1U Planetary Roll Film Camera

Kodak Desktop Microfilmer

Kodak Imagelink Scanner/Microimager 990S (Microfilming function only)

Kodak Microfilmer, models Oracle, and Reliant 800 and 2000

Kodak Microimager 30 Camera

Kodak Microimager 70 Camera

Kodak Mini-Microfilmer

Microbox Microfilm Camera, models MB series 35mm

Minolta Planetary Camera, models DR1600 and DAR 2800

Recordak Microfile Machine, models MRD-2, MRD-2E, MRD-2LE, MRD 2/30, MRG, MRG1, HMRG1 and AH.5

Recordak Microfilmer, models RP-1E, and Rotoline RD-3 and MRK 1, and Reliant 300 RO, 400 RO-1, 450, 500, 550, 600, 600K, 700, 750 and 750-L, and Starfile RV1, RV2 and RV-3

Recordak Portable Microfilmer, model RP-2

SMA 35mm Planetary Roll Film Camera

SMA Data Rotocomp 400 16mm Microfilm Camera

SMA Data Superfile 16mm Microfilm Camera

SRM Rotary Recorder

SRM-II Rotary Recorder

3M EF 5000 Business Document Camera

3M FS6 Microfilm Processor Camera

3M Microfilm Camera, models 3400 Cartridge Camera, 3401 Cartridge Camera, 2000 Processor Camera and 161 Camera

3M Planetary Camera, models 6500 and 6600

SCHEDULE (continued)

3M Processor Camera, models 2300 and 2800

3M Rotary Camera, models 3400, 3500 and 6620

3M SRC 1050 Step and Repeat Microfilm Camera

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 7 April 1998. Future amendments of the Evidence Regulation 1993 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only]

Reprint No.	Amendments included	Reprint date
1	none	22 July 1993
2	to SL No. 310 of 1993	22 September 1993
2A	to SL No. 413 of 1996	22 January 1997

5 List of legislation

Evidence Regulation 1993 SL No. 202

made by the Governor in Council on 10 June 1993

notfd gaz 11 June 1993 pp 874–7

commenced on date of notification

exp 10 June 2003 (see SIA s 54)

as amended by—

Evidence Amendment Regulation (No. 1) 1993 SL No. 310

notfd gaz 13 August 1993 pp 1777–9

commenced on date of notification

Regional Health Authorities (Consequential Amendments) Regulation 1996 SL No. 413

notfd gaz 20 December 1996 pts 1, 3

commenced on date of notification

Evidence Amendment Regulation (No. 1) 1998 SL No. 64

notfd gaz 3 April 1998 pp 1425–6

commenced on date of notification

6 List of annotations

Approved machines

- s 4** prev s 4 ins 1993 SL No. 310 s 3
om 1996 SL No. 413 s 6
pres s 4 ins 1998 SL No. 64 s 3

SCHEDULE—APPROVED MACHINES

ins 1998 SL No. 64 s 3