



Queensland

Crime and Misconduct Commission (Administrative Negligence Rectification) Amendment Act 2013

Act No. 9 of 2013



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Crime and Misconduct Commission (Administrative Negligence Rectification) Amendment Act 2013

Act No. 9 of 2013

An Act to amend the Crime and Misconduct Act 2001 for a particular purpose

[Assented to 14 March 2013]

The Parliament of Queensland enacts—

1 Short title

This Act may be cited as the *Crime and Misconduct Commission (Administrative Negligence Rectification) Amendment Act 2013*.

2 Commencement

This Act is taken to have commenced on 8 March 2013.

3 Act amended

This Act amends the *Crime and Misconduct Act 2001*.

4 Insertion of new s 346A

After section 346—

insert—

346A Protection of particular documents

- (1) This section applies to a person who, from any source, has gained, gains, or has access to, a disclosed document.
- (2) The person must not, on or before 8 May 2013—
 - (a) copy the document; or
 - (b) use the document for any purpose; or
 - (c) disclose the document to anyone; or
 - (d) give access to the document to anyone.

Maximum penalty—500 penalty units or 1 year's imprisonment.

- (3) Subsection (2) does not apply if the copying, use, disclosure or giving access is—

- (a) in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or
 - (b) as permitted or required by this Act, the *Commissions of Inquiry Act 1950* or the *Parliament of Queensland Act 2001*; or
 - (c) to perform official duties under the *Public Records Act 2002*.
- (4) In this section—

archivist means the archivist, and the staff of the archives, under the *Public Records Act 2002*.

disclosed document means—

- (a) a document relating to the inquiry accessed from the archivist between 1 February 2012 and 5 March 2013; or
- (b) a document, to the extent it relates to the inquiry—
 - (i) created by the archivist or the commission for the purpose of helping a person access a document mentioned in paragraph (a); and
 - (ii) accessed between 1 February 2012 and 5 March 2013.

document includes information.

inquiry means the commission issued to Gerald Edward Fitzgerald by the Governor by orders in council dated 26 May 1987, 24 June 1987, 25 August 1988 and 29 June 1989.