



Royal Commissions Amendment Regulations 2006 (No. 2)¹

Select Legislative Instrument 2006 No. 375

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Royal Commissions Act 1902*.

Dated 13 December 2006

P. M. JEFFERY
Governor-General

By His Excellency's Command

MALCOLM TURNBULL
Parliamentary Secretary to the Prime Minister

1 Name of Regulations

These Regulations are the *Royal Commissions Amendment Regulations 2006 (No. 2)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Royal Commissions Regulations 2001*

Schedule 1 amends the *Royal Commissions Regulations 2001*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 4, after definition of *High Court Scale*

insert

Oil-for-Food Inquiry means the inquiry into Certain Australian Companies in relation to the UN Oil-for-Food Programme that was established by Letters Patent dated 10 November 2005 (as amended by Letters Patent dated 6 February 2006, 10 March 2006, 17 March 2006, 22 June 2006 and 21 September 2006).

[2] After regulation 7

insert

8 Custody and use of records of Oil-for-Food Inquiry

- (1) For subsection 9 (2) of the Act, this regulation applies in relation to the Royal Commission records of the Oil-for-Food Inquiry, other than Royal Commission records relating to:
- (a) the administration of the Inquiry; or
 - (b) the financial management of the Inquiry.

Note **Royal Commission records** are explained in subsection 9 (1) of the Act.

- (2) For paragraph 9 (2) (a) of the Act, the Royal Commission records are to be kept in the custody of the Secretary of the Department of the Prime Minister and Cabinet.
- (3) For paragraph 9 (2) (c) of the Act, the circumstances in which the custodian of the Royal Commission records must, as soon as practicable, give a copy of a record that the custodian certifies to be a true copy of the record (***certified copy***) to a person or body are that:
- (a) the person or body is the owner of the record; and
 - (b) the record has not been returned to the person or body; and
 - (c) the person or body has requested a certified copy of the record.
- (4) For subregulation (3), until a certified copy is given, the custodian of the Royal Commission records must provide the person or body, or a person authorised by the person or body, reasonable access to the record for the purposes of inspecting and making copies of, or taking extracts from, the record.
- (5) For paragraph 9 (2) (c) of the Act, the circumstances in which the custodian of the Royal Commission records may give some or all of those records to a person or body are that the person or body:
- (a) performs a function relating to law enforcement purposes within the meaning of section 9 of the Act; or

- (b) is responsible for advising a Minister of the Commonwealth, of a State or of a Territory about the administration of a law of the Commonwealth, of that State or of that Territory.
- (6) For paragraph 9 (2) (d) of the Act, the circumstances in which the custodian of the Royal Commission records may allow access to some or all of those records to a person or body are that the person or body:
- (a) performs a function relating to law enforcement purposes within the meaning of section 9 of the Act; or
 - (b) is responsible for advising a Minister of the Commonwealth, of a State or of a Territory about the administration of a law of the Commonwealth, of that State or of that Territory.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.frli.gov.au.