



Royal Commissions Amendment (Custody of Records) Regulations 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 8 December 2022

David Hurley
Governor-General

By His Excellency's Command

Mark Dreyfus KC MP
Attorney-General

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1 Name

This instrument is the *Royal Commissions Amendment (Custody of Records) Regulations 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	15 December 2022

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Royal Commissions Act 1902*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Royal Commissions Regulations 2019

1 Section 4

Insert:

Home Insulation Royal Commission means the Royal Commission into the Home Insulation Program, established by Letters Patent dated 12 December 2013.

2 Section 4 (definition of *interim-access period*)

Repeal the definition, substitute:

interim-access period for a Royal Commission: see subsection 10(2) and paragraph 11(a).

3 Section 4

Insert:

Natural Disaster Royal Commission means the Royal Commission into National Natural Disaster Arrangements, established by Letters Patent dated 20 February 2020.

4 Subsection 10(2)

After “Governor-General”, insert “(the *interim-access period* for that Royal Commission)”.

5 Subsection 10(3)

Omit “After the end of that 20-year period”, substitute “After the end of the *interim-access period*”.

6 Section 11 (after table item 2)

Insert:

2A	Royal Commission records of the Home Insulation Royal Commission	Secretary of the Department of the Prime Minister and Cabinet
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7 Section 11 (after note 1)

Insert:

Note 1A: The Final Report for the Home Insulation Royal Commission was presented to the Governor-General on 29 August 2014 and tabled in the Parliament on 1 September 2014.

8 Division 3 of Part 4 (heading)

Omit “listed”.

9 Section 12 (heading)

Omit “listed”.

10 Paragraph 12(1)(a)

After “listed Royal Commission”, insert “, or a Royal Commission to which section 10 applies,”.

11 Subparagraph 12(1)(d)(i)

Omit “listed”.

12 Subparagraph 12(1)(d)(ii)

Omit “the Child Sexual Abuse Royal Commission under section 6OB of the Act”, substitute “a Royal Commission to which Part 4 of the Act applies”.

13 Paragraph 12(1)(f)

Omit “in the case of a record of the NT Royal Commission or the Child Sexual Abuse Royal Commission”, substitute “in the case of a record to which section 13 applies”.

14 Subsection 12(2)

Omit “record of a listed Royal Commission may give a copy of the record to a person or body during the interim access period for the listed Royal Commission”, substitute “record of a listed Royal Commission, or a Royal Commission to which section 10 applies, may give a copy of the record to a person or body during the interim access period for the Royal Commission”.

15 Paragraph 12(2)(d)

Omit “the Child Sexual Abuse Royal Commission” (first occurring), substitute “a Royal Commission to which Part 4 of the Act applies”.

16 Subparagraphs 12(2)(d)(i) and (iii)

Omit “Child Sexual Abuse”.

17 Paragraph 12(3)(a)

Omit “Child Sexual Abuse”.

18 Paragraph 12(3)(b)

After “60N”, insert “or 60P”.

19 At the end of section 12

Add:

Note 7: In 2022, the Aged Care Royal Commission website could be viewed at <https://agedcare.royalcommission.gov.au>.

Note 8: In 2022, the Natural Disaster Royal Commission website could be viewed at <https://naturaldisaster.royalcommission.gov.au>.

Note 9: In 2022, archived versions of the Home Insulation Royal Commission website could be viewed at the National Library of Australia’s Trove website (<https://trove.nla.gov.au/website>).

20 Section 13 (heading)

Repeal the heading, substitute:

13 Requests on behalf of States or Territories etc for certain Royal Commissions

21 At the end of subsection 13(1)

Add:

; and (c) Royal Commission records of the Natural Disaster Royal Commission; and

(d) Royal Commission records of a Royal Commission:

- (i) that has conducted an inquiry by virtue of a commission issued by the Governor of a State in conjunction with its inquiry under a commission issued by the Governor-General; and
- (ii) that is established after the commencement of this paragraph.

22 Paragraph 13(2)(d)

Omit “the NT Royal Commission, or the Child Sexual Abuse Royal Commission,”, substitute “the Royal Commission”.

23 At the end of section 13

Add:

Note 3: In 2022, the Aged Care Royal Commission website could be viewed at <https://agedcare.royalcommission.gov.au>.

Note 4: In 2022, the Natural Disaster Royal Commission website could be viewed at <https://naturaldisaster.royalcommission.gov.au>.

24 Section 14

After “listed Royal Commission”, insert “or a Royal Commission to which section 10 applies”.

25 At the end of Part 5

Add:

17 Application of the Royal Commissions Amendment (Custody of Records) Regulations 2022

The amendments of this instrument by the *Royal Commissions Amendment (Custody of Records) Regulations 2022* apply in relation to requests made on or after the commencement of that instrument for copies of, or access to, Royal Commission records (whether the Royal Commission to which the records relate was established before, on or after that commencement).