

# ROYAL COMMISSIONS (AMENDMENT) ACT 1987 No. 151

NEW SOUTH WALES



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**ROYAL COMMISSIONS (AMENDMENT) ACT 1987 No. 151**

NEW SOUTH WALES



**Act No. 151, 1987**

An Act to amend the Royal Commissions Act 1923 to make further provision with respect to the powers of Royal Commissioners; and in other respects. [Assented to 5 November 1987]

*Royal Commissions (Amendment) 1987***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Royal Commissions (Amendment) Act 1987.

**Commencement**

2. This Act shall commence on the date of assent to this Act.

**Amendment of Act No. 29, 1923**

3. The Royal Commissions Act 1923 is amended as set out in Schedule 1.

**Transitional**

4. The Royal Commissions Act 1923, as amended by this Act, applies to a commission under that Act even if it was issued before the commencement of this Act.

**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

- (1) Sections 2 (**Arrangement**), 3 (**Repeals and savings**)—  
Omit the sections.
- (2) Section 4 (**Interpretation**)—  
Omit “Great Seal”, insert instead “Public Seal”.
- (3) Section 5 (**Commissioners**)—  
Section 5 (1)—  
Omit “Great Seal”, insert instead “Public Seal”.
- (4) Part II, Division 2, heading—  
Omit the heading, insert instead:  
**Division 2—Commission to certain Judges—special powers**
- (5) Section 15 (**Application of Division**)—
  - (a) Section 15 (1)—  
Omit “judge”, insert instead “Judge”.
  - (b) Section 15 (2), (3)—  
Omit section 15 (2), insert instead:
    - (2) The provisions of this Division shall also have effect if—
      - (a) the chairman of a commission or the sole commissioner is a Judge of the High Court, the Supreme Court of another State or a Territory or the Federal Court; and

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SCHEDULE 1—AMENDMENTS—*continued*

- (b) in the letters patent by which the commission is issued, or in other letters patent under the Public Seal, the Governor declares that the provisions of this Division are to have effect in relation to the commission.
- (3) In this Division—  
“commissioner” means such a Judge as chairman or sole commissioner.
- (6) Section 17 (**Answers and documents**)—
  - (a) Section 17 (4)—  
After “issued”, insert “, or in other letters patent under the Public Seal.”.
  - (b) Section 17 (5)—  
After section 17 (4), insert:
    - (5) A declaration under section 15 (2) that the provisions of this Division are to have effect is not sufficient to apply this section unless the declaration specifically states that this section shall apply to and with respect to the inquiry.
- (7) Schedule—  
Omit the Schedule.