

## **Independent Commission Against Corruption Amendment (Operations Review Committee) Bill 2006**

### **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

#### Overview of Bill

The object of this Bill is to amend the *Independent Commission Against Corruption Act 1988* (the **Principal Act**) to abolish the Operations Review Committee. The Committee's role has been to advise the Commissioner of the Independent Commission Against Corruption (the **Commission**) whether the Commission should investigate a complaint made under the Principal Act or discontinue an investigation of such a complaint. More general oversight of the Commission is now undertaken by the Inspector of the Independent Commission Against Corruption, the office of which was established by the *Independent Commission Against Corruption Amendment Act 2005*. The Inspector has power to investigate any aspect of the Commission's operations or any conduct of officers of the Commission.

#### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent.

**Clause 3** is a formal provision that gives effect to the amendments to the *Independent Commission Against Corruption Act 1988* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced, the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

#### **Schedule 1 Amendments**

**Schedule 1 [1]–[4]** remove provisions from the Principal Act that deal with the Operations Review Committee.

**Schedule 1 [5]** inserts savings, transitional and other provisions into the Principal Act:

- (a) to formally abolish the Operations Review Committee, and
- (b) to make it clear that a person who ceases to hold office as a member of the Committee because it is abolished is not entitled to any remuneration or compensation because of the loss of that office, and
- (c) to make it clear that the Committee has no ongoing functions in relation to complaints made or matters referred before its abolition, and
- (d) to continue to apply the secrecy provisions of the Principal Act to a former member of the Committee.