



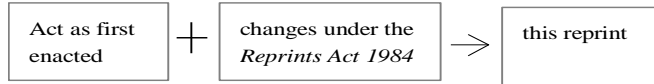
Western Australia

# **Special Investigation (Coal Contract) Act 1994**

**Reprint 1: The Act as at 7 September 2007**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original Act are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the Act as passed.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the  
*Reprints Act 1984* as  
at 7 September 2007

Western Australia

## Special Investigation (Coal Contract) Act 1994

---

### CONTENTS

---

1.	Short title	1
2.	Commencement	1
3.	Terms used in this Act	1
4.	Inquiry	2
5.	Access to certain records	2
6.	Access to certain other documents and information	2
7.	Records of inquiry	3
	<b>Notes</b>	
	Compilation table	4
	<b>Defined Terms</b>	





Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 7 September 2007

## Special Investigation (Coal Contract) Act 1994

**An Act to provide for the appointment of a special investigator to make inquiry as to, and report upon, certain matters, and for related purposes.**

**1. Short title**

This Act may be cited as the *Special Investigation (Coal Contract) Act 1994*<sup>1</sup>.

**2. Commencement**

This Act comes into operation on the day on which it receives the Royal Assent<sup>1</sup>.

**3. Terms used in this Act**

In this Act, unless the contrary intention appears —

“**coal contract**” means the transaction referred to in paragraph 20.7.9 of the report of the Royal Commission;

“**DPP**” means the Director of Public Prosecutions under the *Director of Public Prosecutions Act 1991*;

“**record of the Royal Commission**” has the meaning given to that term by section 4(1) of the *Royal Commission (Custody of Records) Act 1992*;

**“Royal Commission”** has the meaning given to that term by section 4(1) of the *Royal Commission (Custody of Records) Act 1992*;

**“special investigator”** means the person for the time being appointed under section 4(1) as special investigator.

**4. Inquiry**

- (1) The Governor may appoint a person as special investigator to make inquiry as to, and report to the Governor upon, any matter relating to the coal contract that is within the scope of the terms of reference of the inquiry as specified by the Governor.
- (2) For the purposes of the inquiry and report, the special investigator has the powers of a Royal Commission and the chairman of a Royal Commission, whether under the *Royal Commissions Act 1968* or otherwise, and the provisions of that Act have effect as if they were enacted in this Act with such modifications as are required and in terms made applicable to the inquiry and report by the special investigator.

**5. Access to certain records**

- (1) Any record of the Royal Commission that is in the custody of the DPP is to be made available to the special investigator notwithstanding anything in the *Royal Commission (Custody of Records) Act 1992*.
- (2) When no longer required for the purposes of the inquiry, a record made available under subsection (1) is to be returned to the custody of the DPP.

**6. Access to certain other documents and information**

Nothing in section 72<sup>2</sup> of the *State Energy Commission Act 1979*<sup>3</sup> precludes a person from producing any document or divulging any information to the special investigator.

**7. Records of inquiry**

- (1) Unless otherwise provided by section 5(2), the *Royal Commission (Custody of Records) Act 1992* applies, so far as the subject matter permits, to the manner in which records and materials held by the special investigator are to be dealt with when the inquiry and report have been completed.
- (2) For the purpose of the application of the *Royal Commission (Custody of Records) Act 1992* under subsection (1) —
  - (a) a reference in that Act to the Royal Commission or to any member of it includes a reference to the special investigator;
  - (b) a reference in that Act to the terms of reference of the Royal Commission includes a reference to the terms of reference of the inquiry referred to in this Act;
  - (c) a reference in that Act to a prescribed exhibit means an exhibit that the special investigator directs is to be a prescribed exhibit for that purpose.



**Notes**

- <sup>1</sup> This is a reprint as at 7 September 2007 of the *Special Investigation (Coal Contract) Act 1994*. The following table contains information about that Act and any reprint.

**Compilation table**

---

<b>Short title</b>	<b>Number and year</b>	<b>Assent</b>	<b>Commencement</b>
<i>Special Investigation (Coal Contract) Act 1994</i>	18 of 1994	22 Apr 1994	22 Apr 1994 (see s. 2)

---

**Reprint 1: The *Special Investigation (Coal Contract) Act 1994* as at 7 Sep 2007**

---

- <sup>2</sup> Repealed by the *Energy Corporations (Transitional and Consequential Provisions) Act 1994*.
- <sup>3</sup> Now known as the *Energy Operators (Powers) Act 1979*.



## Defined Terms

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

<b>Defined Term</b>	<b>Provision(s)</b>
coal contract.....	3
DPP .....	3
record of the Royal Commission.....	3
Royal Commission.....	3
special investigator.....	3