

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 2

Program 1.8

Question No. 152

Senator Singh asked the following question at the hearing on 24 February 2014:

Royal Commission into the Home Insulation Program

- 1) Who decided that the AGD would have this role? When was this decision taken? Was the Attorney-General's Office notified or consulted about this decision? If so, when, how and whom in the Office?
- 2) Does the Royal Commission act as the agent of the executive government in conducting an enquiry and reporting back to the government pursuant to Letters-Patent issued by the Governor-General?
- 3) In what sense is the Royal Commission 'independent' of government?

The answer to the honourable senator's question is as follows:

- 1) Under the Administrative Arrangements Order, the Attorney-General's Department provides administrative support to Royal Commissions.
- 2) No.
- 3) Letters Patent issued by the Governor-General under the Royal Commissions Act 1902 establish and authorise the Royal Commission to make inquiries, identify the scope of the inquiry, make recommendations and report to the Governor-General. Consistent with the independent nature of its functions, which are defined by the Letters Patent and the Royal Commissions Act 1902, a Royal Commissioner will, in the exercise of his or her duty, have the same protections and immunities as a Justice of the High Court.