



INTEGRITY TRIBUNAL

Production of records and other materials

About this practice direction

This Practice Direction provides information for persons responding to a Notice from an Integrity Tribunal to produce any record, information, material or thing (collectively, the material) under sections 68 or 71.

This Practice Direction applies to:

- ▼ any person or organisation that has been served with a Notice, and
- ▼ anyone who intends to provide documents, information or other material to the Tribunal.

Overview

The Practice Directions (the Directions) for the Integrity Tribunal (the Tribunal) are issued by the Chief Commissioner of the Integrity Commission (the Commission) under section 69(2) of the *Integrity Commission Act 2009* (Tas) (the Act).

The Directions set out information and the procedures that will be followed by a Tribunal when conducting an inquiry. They should be read together with the Act and any other guidelines or procedural information issued by the Tribunal or the Inquiry Office. The Directions do not replace or modify legislation, and to the extent of any inconsistency, the legislation applies.

Up-to-date Directions are available from the Commission's [website](#).

The Tribunal is not bound by the Directions and may vary its procedures for individual inquiries.

All references in the Directions to sections of an Act are to sections in the Act, unless otherwise specified.

Production of material

A Notice from the Tribunal will set out what material is to be produced (or provided) to the Tribunal or its nominated person. The material should be in an accessible electronic format that complies with the direction of the Tribunal.

If a person or organisation producing material to the Tribunal is not able to comply with the requirements of the relevant Notice, or this Direction or other direction of

the Tribunal, an application should be made to the Inquiry Office setting out the alternative arrangements for production.

It is an offence under section 80 to fail to comply with a requirement of a Notice without a reasonable excuse.

Application to not comply with notice

Any person or organisation who asserts that they have a reasonable excuse for not complying with a Notice to produce, in whole or in part, must apply to the Tribunal.

An application must be made in writing and provided to the Inquiry Office at least 7 days before the due date of production contained in the Notice.

The application must contain:

- ▼ a brief general description of the subject matter and material for which the reasonable excuse is claimed, and
- ▼ a short written submission, (max 2 pages) setting out the basis upon which each claim is made.

Restricted publication orders

A written application may be made to the Tribunal to request a restriction or prohibition over publication or disclosure of the content of material produced in response to a Notice.

The existence of personal identifying information in materials being produced is not, by itself, a basis on which the Tribunal will necessarily make an order prohibiting or restricting publication.

The application to the Tribunal may be made in writing in response to the Notice or at a hearing (if one is held). The application must set out the basis for restricting the disclosure or publication, for example: public security, privacy of personal or financial affairs, commercial in confidence or the right of any person to a fair trial (see Schedule 6, clause 4).

This direction is given under section 69(2) of the *Integrity Commission Act 2009*.

This takes effect from 29 August 2022.



Inquiry Office

We are available to provide support and assistance with managing your participation in the inquiry: contact@integrity.tas.gov.au or 1300 720 289.

For more information on inquiries and Integrity Tribunals, go to www.integrity.tas.gov.au/investigating/integrity-tribunals