



Queensland

Evidence Act 1977

Evidence Regulation 1993

Reprinted as in force on 27 November 2006

Reprint No. 3

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See SIA s 56A(2) and SIR s 5 sch 3

Information about this reprint

This regulation is reprinted as at 27 November 2006. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use standard punctuation consistent with current drafting practice (s 27)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Evidence Regulation 1993

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Evidence Regulation 1993

[as amended by all amendments that commenced on or before 27 November 2006]

1 Short title

This regulation may be cited as the *Evidence Regulation 1993*.

2 Fee for inspecting etc. a document (s 134A(2) of the Act)

- (1) The prescribed fee for inspecting a document and taking a copy of, or an extract from, the document is the sum of—
 - (a) an amount calculated under subsection (2) for inspecting the document; and
 - (b) an amount (if any) calculated under subsection (3) for providing a copy of the document.
- (2) The amount payable for inspecting a document is—
 - (a) if the document is an article or material from which sounds or visual images are capable of being reproduced—the amount that the agency considers to be reasonable for making arrangements to hear or view the document; or
 - (b) in any other case—\$33.00 per hour, or part of an hour.
- (3) The amount payable for providing a copy of the document is—
 - (a) if a copy is provided by giving a photocopy in A4 size—50 cents for each page of the copy; or
 - (b) in any other case—the amount that the agency considers to be reasonable.
- (4) An amount mentioned in subsection (2)(a) or (3)(b) must not be more than the amount that reasonably reflects the cost of making the arrangements or providing the copy.

3 Persons and bodies declared not to be an agency

Each of the following persons or bodies is declared not to be an agency for the purposes of the definition *agency* in section 134A(7) of the Act—

- (a) the Governor;
- (b) the Legislative Assembly, a member of the Legislative Assembly, a committee of the Legislative Assembly, a member of a committee of the Legislative Assembly, a parliamentary commission of inquiry or a member of a parliamentary commission of inquiry;
- (c) the Parliamentary Judges Commission of Inquiry appointed under the *Parliamentary (Judges) Commission of Inquiry Act 1988*;
- (d) the Parliamentary Service Commission established by the *Parliamentary Service Act 1988*;
- (e) in the exercise of judicial functions—
 - (i) a court; or
 - (ii) the holder of a judicial office or other office connected with a court;
- (f) a registry or other office of a court, or the staff of a registry or other office of a court in their official capacity, so far as its or their functions relate to the court's judicial functions;
- (g) the Litigation Reform Commission established by the *Supreme Court of Queensland Act 1991*;
- (h) the Fitzgerald commission of inquiry, that is, the commission of inquiry that is *the Commission* within the meaning of the *Commission of Inquiry Continuation Act 1989*;
- (i) another commission of inquiry issued by the Governor in Council;
- (j) an agency in relation to a document that has originated with, or has been received from, the Australian Secret Intelligence Service, the Australian Security Intelligence Organisation, the Inspector-General of Intelligence and Security or the Office of National

Assessments, or the Defence Signals Directorate or the Joint Intelligence Organisation of the Commonwealth Department of Defence;

- (k) Queensland Industry Development Corporation in relation to its investment functions;
- (l) Queensland Investment Corporation;
- (m) Queensland Treasury Corporation in relation to its borrowing, liability and asset management related functions;
- (n) wholly owned subsidiaries (within the meaning of the Corporations Law) of Queensland Treasury Corporation in relation to their commercially competitive activities;
- (o) Suncorp Insurance and Finance;
- (p) the Health Quality and Complaints Commission, a commission member, the chief executive officer or a conciliator under the *Health Quality and Complaints Commission Act 2006*, in relation to the conciliation of a health service complaint under chapter 6 of that Act;
- (q) the Australian Financial Institutions Commission established under the *Australian Financial Institutions Commission Act 1992*;
- (r) a parents and citizens association formed under the *Education (General Provisions) Act 2006*;
- (s) a public grammar school to which the *Grammar Schools Act 1975* applies.

4 Approved machines

The machines in the schedule are approved machines for section 107 of the Act.

5 Corresponding laws for Act, pt 2, div 5

The *Evidence Act 1958* (Vic), part IIAA is a corresponding law for the Act, part 2, division 5.¹

¹ The Act, part 2 (Witnesses), division 5 (Witness identity protection)

Schedule**Approved machines**

section 4

Alos Planetary Recorder 26 16mm Microfilm Camera

AM Bruning Self Processing Step and Repeat Camera, models 750 and 2001

Bell and Howell ABR System 100 Planetary Microfilm Recorder (Camera)

Bell and Howell Classic Microfilm Recorder

Bell and Howell Microfilm Recorder, models Director I-505A and 205G, and Tabtronic 575

Buic 3400 16mm Simplex Flow Microfilm Camera

Canon 16mm Planetary Camera, model CF100

Canon Microfilmer, model 161 A

Canon Processor Camera, model 161 G(A)

Canon Rotary Camera, model 800DDS

Canon Rotary Filmer, models 300 and 450

Canon Rotary Processor Camera, model 700P

Filemaster Planetary Recorder, models 515A and 515-II

Filemaster Rotary Recorder, model 524A

Fuji FMAC 500L Planetary Roll Film Camera

Fuji Micle 2200 Microfilm Processor Camera

Fuji Micle 2204F Processor Camera

Fuji Microfilm Camera, models M2, L2 and S2

Fuji SR 2000 Microfilm Processor Camera

Image Systems Incorporated model 701 Step and Repeat Camera

Intercom Rotary Recorder, model 522A

Itek Microfilm Camera, models PD1400 and 3536

Schedule (continued)

Jacknau SB1U Planetary Roll Film Camera
Kodak Desktop Microfilmer
Kodak i280 Scanner (Microfilming function only)
Kodak i9610 Writer (Microfilming function only)
Kodak Imagelink Scanner/Microimager 990D (Microfilming function only)
Kodak Imagelink Scanner/Microimager 990S (Microfilming function only)
Kodak Microfilmer, models Oracle, and Reliant 800 and 2000
Kodak Microimager 30 Camera
Kodak Microimager 70 Camera
Kodak Mini-Microfilmer
Microbox Microfilm Camera, models MB series 35mm
Minolta Planetary Camera, models DR1600 and DAR 2800
Recordak Microfile Machine, models MRD-2, MRD-2E, MRD-2LE, MRD 2/30, MRG, MRG1, HMRG1 and AH.5
Recordak Microfilmer, models RP-1E, and Rotoline RD-3 and MRK 1, and Reliant 300 RO, 400 RO-1, 450, 500, 550, 600, 600K, 700, 750 and 750-L, and Starfile RV1, RV2 and RV-3
Recordak Portable Microfilmer, model RP-2
SMA 35mm Planetary Roll Film Camera
SMA Data Rotocomp 400 16mm Microfilm Camera
SMA Data Superfile 16mm Microfilm Camera
SRM Rotary Recorder
SRM-II Rotary Recorder
3M EF 5000 Business Document Camera
3M FS6 Microfilm Processor Camera
3M Microfilm Camera, models 3400 Cartridge Camera, 3401 Cartridge Camera, 2000 Processor Camera and 161 Camera

Schedule (continued)

3M Planetary Camera, models 6500 and 6600

3M Processor Camera, models 2300 and 2800

3M Rotary Camera, models 3400, 3500 and 6620

3M SRC 1050 Step and Repeat Microfilm Camera

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 27 November 2006. Future amendments of the Evidence Regulation 1993 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	11 June 1993	22 July 1993
2	1993 SL No. 310	13 August 1993	22 September 1993
2A	1996 SL No. 413	20 December 1996	22 January 1997
2B	1998 SL No. 64	3 April 1998	7 April 1998

Reprint No.	Amendments included	Effective	Notes
2C	2003 SL No. 237	6 October 2003	
2D	2004 SL No. 178	20 September 2004	
2E	2005 SL No. 326	19 December 2005	
2F	2006 Act No. 25	1 July 2006	
	2006 SL No. 145		
2G	2006 SL No. 246	30 October 2006	
2H	2006 SL No. 280	17 November 2006	
2I	2006 SL No. 284	27 November 2006	R2I withdrawn, see R3
3	—	27 November 2006	

5 List of legislation

Evidence Regulation 1993 SL No. 202

made by the Governor in Council on 10 June 1993

notfd gaz 11 June 1993 pp 874–7

commenced on date of notification

exp 31 August 2007 (see SIA s 56A(2) and SIR s 5 sch 3)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Evidence Amendment Regulation (No. 1) 1993 SL No. 310

notfd gaz 13 August 1993 pp 1777–9

commenced on date of notification

Regional Health Authorities (Consequential Amendments) Regulation 1996 SL No. 413 pts 1, 3

notfd gaz 20 December 1996 pp 1588–98

commenced on date of notification

Evidence Amendment Regulation (No. 1) 1998 SL No. 64

notfd gaz 3 April 1998 pp 1425–6

commenced on date of notification

Justice Legislation (Variation of Costs and Fees) Regulation (No. 1) 2003 SL No. 237
notfd gaz 3 October 2003 pp 382–5

ss 1–2 commenced on date of notification

remaining provisions commenced 6 October 2003 (see s 2)

Justice Legislation (Costs and Fees) Amendment Regulation (No. 1) 2004 SL No. 178

notfd gaz 10 September 2004 pp 173–7

ss 1–2 commenced on date of notification

remaining provisions commenced 20 September 2004 (see s 2)

**Justice and Other Legislation (Costs and Fees) Amendment Regulation (No. 1) 2005
SL No. 326**

notfd gaz 16 December 2005 pp 1490–6

ss 1–2 commenced on date of notification

remaining provisions commenced 19 December 2005 (see s 2)

Health Quality and Complaints Commission Act 2006 No. 25 ss 1–2(1), 241(1) sch 3

date of assent 29 May 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2006 (see s 2(1))

**Police Powers and Responsibilities and Other Legislation Amendment Regulation
(No. 1) 2006 SL No. 145 ss 1–2(1)–(2), pt 4**

notfd gaz 23 June 2006 pp 898–902

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2(1)–(2))

Education (General Provisions) Regulation 2006 SL No. 246 ss 1, 2(3), 90(1) sch 1

notfd gaz 6 October 2006 pp 577–80

ss 1–2 commenced on date of notification

remaining provisions commenced 30 October 2006 (see s 2(3))

Evidence Amendment Regulation (No. 1) 2006 SL No. 280

notfd gaz 17 November 2006 pp 1321–2

commenced on date of notification

Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2006 SL No. 284

notfd gaz 24 November 2006 pp 1476–9

ss 1–2 commenced on date of notification

remaining provisions commenced 27 November 2006 (see s 2)

6 List of annotations

Fee for inspecting etc. a document (s 134A(2) of the Act)

s 2 amd 2003 SL No. 237 s 3 sch; 2004 SL No. 178 s 3 sch; 2005 SL No. 326 s 3
sch; 2006 SL No. 284 s 3 sch

Persons and bodies declared not to be an agency

s 3 amd 2006 Act No. 25 s 241(1) sch 3; 2006 SL No. 246 s 90(1) sch 1

Approved machines

s 4 prev s 4 ins 1993 SL No. 310 s 3
 om 1996 SL No. 413 s 6
 pres s 4 ins 1998 SL No. 64 s 3

Corresponding laws for Act, pt 2, div 5

s 5 ins 2006 SL No. 145 s 20

SCHEDULE—APPROVED MACHINES

ins 1998 SL No. 64 s 3
amd 2006 SL No. 280 s 3