

Practice Direction No.1

The Commissions of Inquiry Order (no.1) 2011 provides:

'The Commissioner may hold public and private hearings in such manner and in such locations as may be necessary and convenient...'.¹

It is not necessary to appear at the Inquiry in order to make a submission to it. Anyone who wishes to make a submission is referred to the Commission's website (www.floodcommission.qld.gov.au), which contains details as to the manner in which a submission may be made. It is not necessary to have legal representation in order to make a submission.

However, it may be that parties whose interests may be affected by the Inquiry will seek to appear and/ or be legally represented at the Inquiry's hearings. Such appearances and representation will only be allowed by leave of the Commission. Even if granted, leave may be subject to certain conditions.

Those who wish to apply for leave to appear should forward, to the Commission's Secretary, a written application which:

- (a) identifies the person or organisation whose interests are affected;
- (b) specifies the basis upon which it is said that the party's interests may be affected by the Inquiry. In making this statement, applicants should bear in mind the terms of reference for the Inquiry, which are published on the Inquiry's website;
- (c) provides an address for correspondence.

¹ See also s17 of the Commissions of Inquiry Act 1950, which provides that the Commission may conduct its proceedings in such a manner as it thinks proper.

In some cases it will be clear that an appearance or representation is warranted. In those cases the Commission's Secretary will send a written notification to the relevant individual, as identified in the application.

In other cases, it may be that the Commission will be assisted by further information as to the basis upon which leave to appear should be granted. It is anticipated that a further hearing of the Commission will be convened in order to deal with applications in this category. Once again, the relevant individual will be contacted with details as to the time and place at which any such hearing shall occur.

The application and accompanying submissions must be received by the Commission by **28 February 2011**.