

	NSW Independent Commission Against Corruption	QLD Crime and Corruption Commission	Greens' Bill	Helen Haines' Bill	NT Independent Commissioner Against Corruption	NACC Bill	WA Corruption and Crime Commission	ACT Integrity Commission	TAS Integrity Commission	VIC Independent Broad-based Anti-Corruption Commission	SA Independent Commissioner Against Corruption
JURISDICTION											
Can Investigate public sector	Y (s 10)	Y (s 10)	Y (s 13)	Y (s 9, 10)	Y (s 10)	Y (ss 8, 10-14)	Y (s 4)	Y (s 9)	Y (s 4)	Y (s 4)	Y (s 4)
Can Investigate MPs	Y (s 9)	Y (s 12)	Y (s 8, 12)	Y (s 9, 10)	Y (s 10)	Y (s 8, 10)	Y (s 4)	Y (s 4)	Y (s 4)	Y (s 4)	Y (s 4)
Can Investigate any conduct affecting impartial decision making	Y (proviso that the conduct could constitute or involve a criminal offence, a disciplinary offence, reasonable grounds for terminating the person's services or, in the case of a Minister or parliamentarian, a substantial breach of an applicable code of conduct s 9)	Y (proviso that the conduct would, if proved, be a criminal offence or disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or was the holder of an appointment s 4)	Y (proviso that the conduct could constitute or involve a criminal offence, conduct giving rise to civil liability, a disciplinary offence, reasonable grounds for dismissal or termination of services or, in the case of a parliamentarian or Minister, a substantial breach of an applicable code of conduct s 4)	Y (proviso that the conduct could constitute or involve a criminal offence or conduct giving rise to a civil liability, a disciplinary offence, reasonable grounds for terminating the person's services or, in the case of a Minister or parliamentarian, a substantial breach of an applicable code of conduct s 9, 10)	Y (various provisos set out a s 10, including that the conduct could constitute certain offences, or be reasonable grounds for dismissal/termination (with additional caveat))	Y (s 8)	N (must be conducted by a public official. Various kinds of conduct are specified to constitute misconduct, - broadest is accompanied by proviso that the conduct could constitute a disciplinary offence providing reasonable grounds for termination s 4)	Y (proviso that the conduct could constitute a criminal offence, a serious disciplinary offence, or be capable of constituting reasonable grounds for dismissing or otherwise terminating services of relevant public official, s 9)	N (but note very broad definition of misconduct s 4)	N (must constitute a relevant criminal offence s 4)	N (must constitute a specified offence s 5)
Can Investigate third parties in the absence of wrongdoing by a public official	Y (s 8)	Y (s 12)	Y (s 9)	Y (s 9)	Y (s 10)	N (s 8)	N (s 4)	Y (s 9)	N (s 4)	Y (s 4)	Y (s 9)
Can begin investigations without threshold of evidence	Y (s 20)	Y (s 4B)	Y (s 4D) note that 4B sets out matters to which the Commission must have regard in determining whether to take action	Y (s 4D) note that 4D sets out matters to which the Commission must have regard in determining whether to take action	N (an investigation may be commenced if the ICAC has, or is aware of, information that, if true, would tend to show that improper conduct has occurred, is occurring or is at risk of occurring s 31)	Y (s 4D)	Y (s 3D) note that s 34 sets out matters to which the Commission must have regard in determining whether to take action)	N (must suspect, on reasonable grounds that the conduct may constitute corrupt conduct s 10)	Y (but note the assessment process required by Part 5, Division 2)	N (must suspect on reasonable grounds that the conduct constitutes corrupt conduct s 6)	Y (s 27 - note that under s 23 an assessment of complaints or reports is required)
Can initiate investigations on own motion	Y (s 40)	Y (s 30)	Y (s 13)	Y (s 10)	Y (s 31)	Y (s 40)	Y (ss 18, 22, 24, 26)	Y (may on own initiative, investigate a matter if it suspects on reasonable grounds that matter involves corrupt conduct, may carry out a preliminary inquiry to decide whether to investigate the matter (no reasonable grounds requirement) s 10)	Y (s 4)	Y (s 6)	N
REFERRALS AND COMPLAINTS											
Can receive complaints from any person	Y (s 10)	Y (s 30)	Y (s 4D)	Y (s 4D)	Y (The 'Guidelines and Practice Directions for ICAC Staff' suggest that information regarding improper conduct may be given to the ICAC by any source ss 17, 19)	Y (s 40)	Y (s 2D)	Y (ss 57, 58)	Y (s 33)	Y (s 53)	Y (any person may make a complaint, but section authorising this has not been located)
Can receive complaints in any form, including anonymously	Y (s 10)	Y (s 30)	Y (s 4D)	Y (s 4D) under s 4D(3) the Commission may require the person to put an allegation made orally, in writing)	Y (s 40)	Y (s 40)	Y (s 2E, Anonymity permitted, but section authorising this has not been located)	Y (ss 57, 58)	N (may be anonymous but must be in writing s 33)	N (must be made in writing s 53 (unless the IBAC determines that there are exceptional circumstances for a complaint to be made otherwise than in writing) Anonymity permitted - no specific section authorising this has been located)	N (s 20: The Directions and Guidelines limit the way in which public officers can make complaints to an online process, which appears to preclude anonymity)
INVESTIGATIVE POWERS											
Can compel witnesses/ the production of documents	Y (in respect of an investigation: s 22, in respect of compulsory examinations: s 30, in respect of compulsory examinations and public inquiry: 30)	Y (in context of corruption investigations and specific intelligence operations (corruption) - chairperson must reasonably suspect that the person has information/documents / things relevant to the investigation or operation s 7C, in context of hearing s 8D)	Y (ss 7D, 8E, in context of summons, Commissioner must have reasonable grounds to suspect that the evidence, documents or things will be relevant s 8A)	Y (s 77)	Y (in context of an investigation: ss 30-34, in context of an inquiry: s 41)	Y (ss 58, 63)	Y (ss 95, 96)	Y (s 147 in context of investigation)	Y (s 47 s 54 in case of inquiry by Integrity Tribunal)	Y (in context of investigation: s 120, Y (in context of preliminary investigations ss 59D and 59E)	Y (Schedule 2, ss 4, 5)
Can search "public premises" without application to a judicial officer	Y (in an investigation, search without warrant is permitted of premises occupied or used by a public authority or public officer in that capacity s 24)	Y (search without warrant is permitted in corruption investigations - applicable to official premises s 79)	Y	N	Y (search without warrant is permitted in case of premises used by public body or public official for official duties: s 66)	Y (Court premises, places occupied by parliamentarians and their staff, and the ABC and SBS, are excluded: s 137)	Y (search without warrant is permitted in respect of premises occupied or used by public authority or officer in that capacity s 100)	Y (search without warrant in respect of premises that the public is entitled to use or that is open to the public, at any time: s 137)	Y (search without warrant is permitted of premises of public authority s 50)	N	Y (Commissioner may issue warrant in respect of places/vehicles occupied or used by an inquiry agency, public authority or public officer s 31)
Warrant process provided for in respect of other searches	Y (search warrants can be issued by an authorised officer (as defined by Law Enforcement Powers and Responsibilities Act 2007 or Commissioner) s 40)	Y (s 8B)	Y (s 113)	Y (s 117)	Y (s 67)	Y (s 119, Subdivision B, Division 7, Part 7)	Y (s 101)	Y (s 122, no search powers or surveillance powers in preliminary inquiries: s 80)	Y (s 51)	Y (s 91)	Y (s 31)
Can use surveillance powers (with warrant)	Y (can seek a warrant under the Surveillance Devices Act 2007: s 93)	Y (permitted with a warrant issued by Supreme Court judge s 121)	To be provided for	To be provided for	Y (Surveillance Devices Act 2007 provides for surveillance device warrants to be issued to ICAC officers)	Y (ss 18B-200 National Anti-Corruption Commission (Consequential and Transitional Provisions) Bill 2021)	Y (Surveillance Devices Act 1998 permits officers of the Crime and Corruption Commission to apply for warrants: s 15)	Y (Crimes (Surveillance Devices) Act 2010 defines the Integrity Commission as a law enforcement agency s 3)	Y (application process for use of surveillance devices is only provided for in the case of inquiry by Integrity Tribunal, and complaint of serious misconduct s 25(1))	Y (Surveillance Devices Act 1999 defines the IBAC as a law enforcement agency: s 3, no no surveillance in preliminary inquiries: s 59P (BAC Act)	Y (Surveillance Devices Act 2005 defines the Independent Commissioner against Corruption as a relevant investigating agency s 3)
PROCEDURE											
Commissioner can decide to hold public hearings if in public interest	Y (certain factors must be considered: s 21. Note that the Chief Commissioner and at least one other Commissioner must agree before a public hearing can be held: s 6)	Y (in respect of hearings other than crime hearings and witness protection function hearings, which are provided for separately, hearings are to be public if Commission considers closing the hearing to the public would be unfair to a person or contrary to the public interest: s 177)	Y (in context of a public inquiry: ss 68, 69, in context of investigation of a corruption issue, must have regard to certain matters before deciding to hold a public hearing: s 8E)	Y (in context of a public inquiry: s 76, 85(5), in context of a corruption issue, must have regard to certain matters before deciding to hold a public hearing s 8E)	Y (no public interest requirements: 39)	N (in addition to the public interest requirement, there must also be exceptional circumstances: s 73)	Y (the Commission may open an examination to the public if, having weighed the benefits of public exposure and public awareness against the potential for prejudice or privacy infringements, it considers that it is in the public interest to do so: s 140)	Y (additional requirement that Commission be satisfied that a public examination can be held without unreasonably infringing a person's human rights: s 143)	Y (hearings of Integrity Tribunal are public by default, no public interest requirement - see schedule 6 s 1)	Y (additional requirements beyond public interest exist, including that there are exceptional circumstances, that a public examination can be held without causing unreasonable damage to a person's reputation, safety or wellbeing, and that the conduct being investigated is one of a specified kind: s 117)	N (s 55)
REPORTING											
Ability to make findings of fact	Y (ss 72, 72(1)(b), not findings of guilt in respect of criminal or disciplinary offences, or recommendations of prosecution s 74(5))	Y (reports must include any recommendations and an objective summary of all matters of which it is aware that support, oppose or are otherwise relevant to its recommendations: s 64)	Y (s 84)	Y (s 67)	Y (in respect of a public inquiry, but not about whether a person has committed/s committing/s about to commit, an offence or a breach of discipline, or the prospects of success of any current or future prosecution or disciplinary action: s 52 in relation to investigation reports, with the same exemptions: s 41)	Y (s 149)	Y (but must not publish or report a finding/opinion that a particular person is guilty of/has committed/s committing/s about to commit a criminal offence or disciplinary offence if a finding that misconduct has occurred is not such a finding or opinion: s 27(8))	Y (not findings/opinions of criminal guilt or conduct that would be reasonable grounds of termination action: s 207. Only findings relating to serious/systemic corrupt conduct: s 208. See other restrictions at ss 209-211)	Y (in respect of investigations: s 26, in respect of Integrity Tribunal, requires s 78)	Y (not findings/opinions of criminal guilt or disciplinary offence, or that a person should be prosecuted for such. See other limitations: s 162)	Potentially not (s 42(1)(b))
Ability to make findings public	Y (s 78)	Y (in respect of public hearings and research reports or other report that the parliamentary committee directs be given to the Speaker: s 99)	Y (where a public hearing has been held: s 133)	Y (in respect of the kinds of reports specified at s 237)	Y (where a public inquiry has been held: s 52, in some cases, in respect of an investigation report: s 50)	Y (automatically where at least one public hearing has been held, and otherwise where a person/ entity the subject of an adverse finding has been given a reasonable opportunity to respond and the Commission determines it to be in the public interest: ss 143, 155-157)	Y (s 84)	Y (ss 213, 214)	Y (in respect of Integrity Tribunal, requires s 78)	Y (s 162)	Potentially not (s 42(1)(b))