



New South Wales

Independent Commission Against Corruption Amendment (Validation) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The *Independent Commission Against Corruption Amendment (Validation) Act 2015* inserted a provision into the *Independent Commission Against Corruption Act 1988* to validate certain previous actions of the Independent Commission Against Corruption following the decision of the High Court in *Independent Commission Against Corruption v Cunneen* [2015] HCA 14.

The object of this Bill is to amend the *Independent Commission Against Corruption Act 1988* to provide that the validation provision does not apply in relation to a person who had proceedings pending in the Supreme Court or the Court of Appeal on 8 May 2015 relating to a finding by the Commission of corrupt conduct.

The Bill also provides that in calculating a limitation period for a proceeding brought by or on behalf of a person of that kind, the period between 8 May 2015 and the date of assent to the proposed Act is to be disregarded in the calculation of the limitation period and that the new provisions inserted by the Bill apply whether or not the person of that kind is deceased, including for a proceeding brought on behalf of a deceased person.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 gives effect to the object of the Bill specified in the overview.