



New South Wales

Independent Commission Against Corruption Amendment Bill 2024

Explanatory note

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

Overview of Bill

The object of this Bill is to amend the *Independent Commission Against Corruption Act 1988* to—

- (a) allow certain information disclosed under the Act to be further disclosed by the recipient in particular circumstances, and
- (b) provide that the Commission must give a copy of a corruption prevention recommendation made about a public authority to the relevant public authority and relevant Minister.

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.

Schedule 1 **Amendment of Independent Commission Against Corruption Act 1988 No 35**

Schedule 1[1] and [2] amend the *Independent Commission Against Corruption Act 1988* to provide that a direction under section 111(4)(c) may allow information disclosed under that paragraph to be recorded or further disclosed by the recipient.

Schedule 1[5] amends section 111E to provide that, as soon as practicable after making a corruption prevention recommendation under section 13(3)(b), the Commission must give a copy of the recommendation to the relevant public authority or official and, for a recommendation in

relation to a public authority, the Minister for the public authority. **Schedule 1[6]** inserts a definition for the section. **Schedule 1[3] and [4]** make consequential amendments.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Independent Commission Against Corruption Amendment Bill 2024

No. _____, 2024

A Bill for

An Act to make miscellaneous amendments to the *Independent Commission Against Corruption Act 1988*.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Independent Commission Against Corruption Amendment Act 2024*.

3

2 Commencement

4

This Act commences on the date of assent to this Act.

5

Schedule 1	Amendment of Independent Commission Against Corruption Act 1988 No 35	1
		2
[1] Section 111 Secrecy		3
Insert after section 111(4)—		4
(4A) A direction under subsection (4)(c) may specify—		5
(a) that the authority or person to whom information is divulged, or a person or employee under the control of the authority or person, may—		6
(i) make a record of the information, or		7
(ii) divulge or communicate the information to another person, and		8
(b) conditions or restrictions that apply to the making of the record or divulging or communicating of the information.		9
		10
		11
[2] Section 111(5A)		12
Insert after section 111(5)—		13
(5A) Subsection (5) does not apply in relation to an authority or person to whom information is divulged under subsection (4)(c), or a person or employee under the control of the authority or person, to the extent the authority, person or employee is acting in accordance with the direction under that paragraph, including any conditions or restrictions to which the direction is subject.		14
		15
		16
		17
		18
[3] Section 111E, heading		19
Omit “ Public authority ”. Insert instead “ Relevant public authority or official ”.		20
[4] Section 111E(1)–(3)		21
Omit “public authority” wherever occurring. Insert instead “relevant public authority or official”.		22
		23
[5] Section 111E(1)		24
Omit “furnish a copy of the recommendation to the authority and to the Minister for the authority.”.		25
		26
Insert instead—		27
give a copy of the recommendation to—		28
(a) the relevant public authority or official, and		29
(b) for a relevant public authority or official that is a public authority—the Minister for the authority.		30
		31
[6] Section 111E(4)		32
Insert after section 111E(3)—		33

- | | | |
|-----|---|---|
| (4) | In this section— | 1 |
| | <i>relevant public authority or official</i> means the following— | 2 |
| (a) | a public authority, | 3 |
| (b) | a Minister of the Crown, | 4 |
| (c) | the Presiding Officer of either House of Parliament. | 5 |