



New South Wales

Integrity Legislation Amendment Bill 2022

Explanatory note

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

Overview of Bill

The object of this Bill is to—

- (a) amend the *Constitution Act 1902* to expand the regulation-making power in relation to the disclosure of pecuniary interests and other matters by—
 - (i) Members of either House of Parliament, and
 - (ii) members of the immediate family of Members of either House of Parliament, and
- (b) amend the *Independent Commission Against Corruption Act 1988* to prescribe the Ministerial Code of Conduct as an applicable code of conduct in relation to Parliamentary Secretaries.

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 Acts

Schedule 1.1[1] amends the *Constitution Act 1902*, section 14A(1)(a)(xii) to provide that the Governor may make regulations for and with respect to direct or indirect benefits, advantages or liabilities or other matters, whether pecuniary or not, of a kind specified in the regulations.

Schedule 1.1[2] inserts section 14A(4A) into the Constitution Act 1902 to provide that regulations made under section 14A(1) may relate to the disclosure of the pecuniary interests, or other matters, of members of the immediate family of Members of either House of Parliament.

Schedule 1.2[2] amends the *Independent Commission Against Corruption Act 1988*, section 9, definition of *applicable code of conduct* to prescribe the Ministerial Code of Conduct as an applicable code of conduct in relation to Parliamentary Secretaries. **Schedule 1.2[1] and [3]** make amendments consequential on Schedule 1.2[2].



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Integrity Legislation Amendment Bill 2022

No. , 2022

A Bill for

An Act to amend the *Constitution Act 1902* in relation to the disclosure of pecuniary interests and other matters; to amend the *Independent Commission Against Corruption Act 1988* to prescribe the Ministerial Code of Conduct as an applicable code of conduct in relation to Parliamentary Secretaries; and for related purposes.

The Legislature of New South Wales enacts—

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1 Name of Act

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This Act is the *Integrity Legislation Amendment Act 2022*.

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2 Commencement

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

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Schedule 1	Amendments of Acts	1
1.1	Constitution Act 1902 No 32	2
[1]	Section 14A Disclosure of pecuniary interests and other matters by Members	3
	Insert “or other matters” after ‘or liabilities’ in section 14A(1)(a)(xii).	4
[2]	Section 14A(4A)	5
	Insert after section 14A(4)—	6
	(4A) Without limiting subsection (1), regulations made under that subsection may relate to the disclosure of the pecuniary interests, or other matters, of members of the immediate family of Members of either House of Parliament.	7 8 9
1.2	Independent Commission Against Corruption Act 1988 No 35	10
[1]	Section 9 Limitation on nature of corrupt conduct	11
	Insert “or Parliamentary Secretary” after “Minister of the Crown” in section 9(1)(d).	12
[2]	Section 9(3)	13
	Insert “or Parliamentary Secretary” after “Minister of the Crown” wherever occurring in the definition of <i>applicable code of conduct</i> , paragraphs (a) and (b).	14 15
[3]	Section 9(4)	16
	Insert “or Parliamentary Secretary” after “Minister of the Crown”.	17