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.

R. E. WARD, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 17 March, 1976.



ANNO VICESIMO QUINTO ELIZABETHÆ II REGINÆ

Act No. , 1976.

An Act to amend various Acts so as to prevent the disclosure by certain inspectors of certain information obtained by them in connection with the administration or execution of those Acts.

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 B_{and}^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:-

1. This Act may be cited as the "Miscellaneous Acts Short (Inspectors) Amendment Act, 1976".

2. The Scaffolding and Lifts Act, 1912, is amended by Amendinserting after section 13 the following section :-- Act No. 38,

1912. Sec. 13A.

3.

10 13A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this
 15 Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

(a) made in connection with the administration or execution of this Act or the regulations made thereunder;

- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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3. The Industrial Arbitration Act, 1940, is amended by Amendinserting after section 127 the following section :— Act No. 2,

1940. Sec. 127A.

127A. (1) Subject to subsection (2), a person who Disclosure is, or was at any time, an inspector appointed under this of Act shall not disclose any information relating to any tion. manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

Penalty : \$500.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

(a) made in connection with the administration or execution of this Act or the regulations made thereunder;

- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

4. The Annual Holidays Act, 1944, is amended by Amendment of Act No. 3

Act No. 31, 1944.

(2)

Sec. 10A. 10A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

5. The Long Service Leave Act, 1955, is amended by Amendment of the following section :--

ment of Act No. 38, 1955. Sec. 9A.

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9A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is \rightarrow

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder.
- (b) made with the prior permission of the Minister; or

(c)

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(c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

7A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commer-tion. cial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations;
- (b) made with the prior permission of the Minister; or

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(c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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7. The Apprentices Act, 1969, is amended by inserting Amendment of Act No. 37

Act No. 37, 1969.

Sec. 68A.

68A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an apprenticeship supervisor shall of not disclose any information relating to any manufaction. turing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

(a) made in connection with the administration or execution of this Act or the regulations made thereunder;

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- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.
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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

8. The Bread Act, 1969, is amended by inserting after Amendsection 26 the following section :---

1969.

Sec. 26A.

26A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations,

30 Penalty : \$500.

(2)

Miscellaneous Acts (Inspectors) Amendment. (2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is-(a) made in connection with the administration or execution of this Act or the regulations; 5 (b) made with the prior permission of the Minister; or (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings. (3) The Minister may grant the permission 10 referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest. The Building and Construction Industry Long Service Amend-9. Payments Act, 1974, is amended by inserting after section Act No. 98, 37 the following section :---1974.

Sec. 37A.

37A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, authorised under section 37 shall of not disclose any information relating to any manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

Penalty : \$500.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations;
- (b) made with the prior permission of the Minister; or

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(c)

(c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES-1976 No. , 1976.

A BILL

To amend various Acts so as to prevent the disclosure by certain inspectors of certain information obtained by them in connection with the administration or execution of those Acts.

[MR RUDDOCK—10 March, 1976.]

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B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows :--

1. This Act may be cited as the "Miscellaneous Acts Short (Inspectors) Amendment Act, 1976".

1912. Sec. 13A.

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13A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any informainformation relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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3. The Industrial Arbitration Act, 1940, is amended by Amendment of Act No. 2, Act No. 2,

Act No. 2, 1940. Sec. 127A.

127A. (1) Subject to subsection (2), a person who Disclosure is, or was at any time, an inspector appointed under this $_{informa-}^{of}$ Act shall not disclose any information relating to any tion. manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations

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Penalty : \$500.

made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

4. The Annual Holidays Act, 1944, is amended by Amend-25 inserting after section 10 the following section :--

Act No. 31, 1944.

Sec. 10A.

(2)

10A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is-

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder:
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

5. The Long Service Leave Act, 1955, is amended by Amendinserting after section 9 the following section :---

ment of Act No. 38, 1955. Sec. 9A.

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9A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of informa-

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information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is-

- (a) made in connection with the administration or execution of this Act or the regulations made
- thereunder.
 - (b) made with the prior permission of the Minister; or

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(c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

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(c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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7. The Apprentices Act, 1969, is amended by inserting Amendafter section 68 the following section :--

Act No. 37, 1969. Sec. 68A.

68A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an apprenticeship supervisor shall of not disclose any information relating to any manufac- tion. turing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

(a) made in connection with the administration or execution of this Act or the regulations made thereunder;

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- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.
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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

8. The Bread Act, 1969, is amended by inserting after Amendment of Act No.

Act No. 54, 1969. Sec. 26A.

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26A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

30 Penalty : \$500.

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- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

9. The Building and Construction Industry Long Service Amend-Payments Act, 1974, is amended by inserting after section ment of Act No. 98, 37 the following section :---

Sec. 37A.

(c)

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37A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, authorised under section 37 shall of not disclose any information relating to any manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

Penalty : \$500.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES-1976

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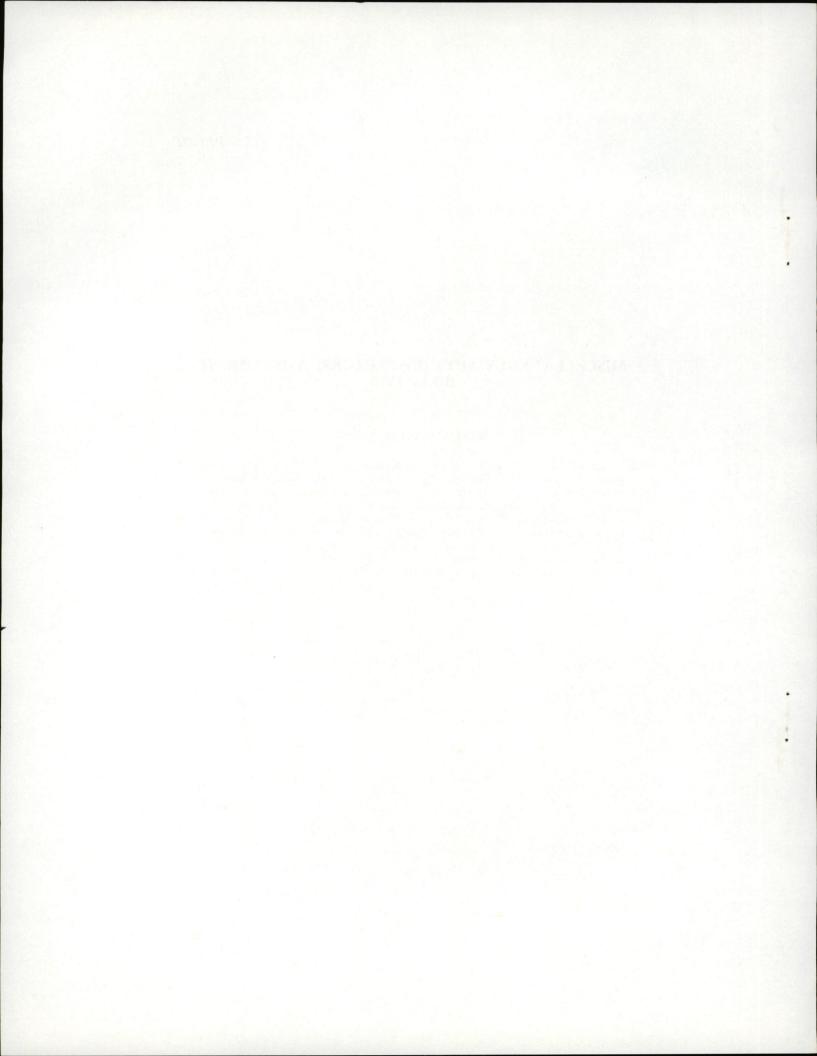
MISCELLANEOUS ACTS (INSPECTORS) AMENDMENT BILL, 1976

EXPLANATORY NOTE

THE object of this Bill is to amend the Scaffolding and Lifts Act, 1912, the Industrial Arbitration Act, 1940, the Annual Holidays Act, 1944, the Long Service Leave Act, 1955, the Factories, Shops and Industries Act, 1962, the Apprentices Act, 1969, the Bread Act, 1969, and the Building and Construction Industry Long Service Payments Act, 1974, so as to implement the International Labour Organisation Convention No. 81—Labour Inspection in Industry—in so far as it prevents the disclosure by labour inspectors of information relating to manufacturing or commercial secrets or working processes and obtained by them in the administration or execution of those Acts.

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PROOF

No. , 1976.

A BILL

To amend various Acts so as to prevent the disclosure by certain inspectors of certain information obtained by them in connection with the administration or execution of those Acts.

[MR RUDDOCK—10 March, 1976.]

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1. This Act may be cited as the "Miscellaneous Acts Short (Inspectors) Amendment Act, 1976".

2. The Scaffolding and Lifts Act, 1912, is amended by Amendinserting after section 13 the following section :--

Act No. 38, 1912. Sec. 13A.

13A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any informainformation relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court for the purposes of the hearing or determination of any legal proceedings.

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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

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3. The Industrial Arbitration Act, 1940, is amended by Amendment of inserting after section 127 the following section :---

Act No. 2, 1940.

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127A. (1) Subject to subsection (2), a person who Disclosure is, or was at any time, an inspector appointed under this of informa-Act shall not disclose any information relating to any tion. manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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Penalty : \$500.

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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

4. The Annual Holidays Act, 1944, is amended by Amendment of 25 inserting after section 10 the following section :---Act No. 31,

Sec. 10A. 10A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

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7. The Apprentices Act, 1969, is amended by inserting Amendment of Act No. 37, Act No. 37,

1969. Sec. 68A.

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68A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an apprenticeship supervisor shall of not disclose any information relating to any manufaction. turing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations made thereunder.

(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—

- (a) made in connection with the administration or execution of this Act or the regulations made thereunder;
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(3) The Minister may grant the permission referred to in subsection (2) (b) only if he is satisfied that to do so would be in the public interest.

8. The Bread Act, 1969, is amended by inserting after Amendsection 26 the following section :--

Act No. 54, 1969. Sec. 26A.

26A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, an inspector shall not disclose any of information relating to any manufacturing or commercial tion. secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

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Penalty : \$500.

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	Miscellaneous Acts (Inspectors) Amendment.
	(2) Subsection (1) does not operate to prevent the disclosure of information where that disclosure is—
	 (a) made in connection with the administration or execution of this Act or the regulations;
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Act No. 98, 1974. Sec. 37A.

(c)

37A. (1) Subject to subsection (2), a person who is, Disclosure or was at any time, authorised under section 37 shall of not disclose any information relating to any manufacturing or commercial secrets or working processes and obtained by him in connection with the administration or execution of this Act or the regulations.

Penalty : \$500.

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BY AUTHORITY D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES-1976 8