

*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, 30 September, 1976.*

## New South Wales



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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**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.

BE

*Miscellaneous Acts (Inspectors) Amendment.*

5 **BE** 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 follows :—

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

2. The Scaffolding and Lifts Act, 1912, is amended by inserting after section 13 the following section :— Amendment of Act No. 38, 1912. Sec. 13A.

10 13A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 Disclosure of information.  
15 Act or the regulations made thereunder.

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

- 20 (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
- 25 (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(3)

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*Miscellaneous Acts (Inspectors) Amendment.*

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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.

3. The Industrial Arbitration Act, 1940, is amended by  
5 inserting after section 127 the following section :—

Amend-  
ment of  
Act No. 2,  
1940.  
Sec. 127A.  
Disclosure  
of  
informa-  
tion.

10 127A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector appointed under this Act shall 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 made thereunder.

Penalty : \$500.

15 (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 ;
- 20 (b) made with the prior permission of the Minister; or
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or  
25 person of any matter or thing.

(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.

*Miscellaneous Acts (Inspectors) Amendment.*

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

Amendment of Act No. 31, 1944.

Sec. 10A.

Disclosure of information.

5 10A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

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

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20 (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

25 5. The Long Service Leave Act, 1955, is amended by inserting after section 9 the following section :—

Amendment of Act No. 38, 1955.

Sec. 9A.

30 9A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

(2)

*Miscellaneous Acts (Inspectors) Amendment.*

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

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- (b) made with the prior permission of the Minister; or
- 10 (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

15 (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.

6. The Factories, Shops and Industries Act, 1962, is amended— Amendment of Act No. 43, 1962.

- 20 (a) by omitting from the matter relating to Part II in section 2 the matter “7, 8” and by inserting instead the matter “7-8”; Sec. 2. (Division into Parts and Divisions.)
- (b) by inserting after section 7 the following section :— Sec. 7A.

25 7A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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. Disclosure of information.

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15 (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.

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

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

20 68A. (1) Subject to subsection (2), a person who is, or was at any time, an apprenticeship supervisor shall 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 made thereunder.

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

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(c)

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*Miscellaneous Acts (Inspectors) Amendment.*

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5 (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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 10 section 26 the following section :—

Amend-  
ment of  
Act No. 54,  
1969.  
Sec. 26A.

15 26A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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.

Disclosure  
of  
informa-  
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Penalty : \$500.

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30 (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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*Miscellaneous Acts (Inspectors) Amendment.*

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9. The Building and Construction Industry Long Service Payments Act, 1974, is amended by inserting after section 37 the following section :—

Amend-  
ment of  
Act No. 98,  
1974.  
Sec. 37A.

5           37A. (1) Subject to subsection (2), a person who is, or was at any time, authorised under section 37 shall 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.

10           Penalty : \$500.

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

- 15           (a) made in connection with the administration or execution of this Act or the regulations ;
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- 20           (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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

[8c]



1976

Bill number (number)

Be it enacted by the Queen's most Excellent Majesty in Council and Parliament Assembled in New South Wales in Parliament assembled and by the authority of the same as follows:—

The following provisions shall have effect as if they were contained in the Acts mentioned in Schedule 1 to this Act.

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 HILLS—8 September, 1976.]

BE

*Miscellaneous Acts (Inspectors) Amendment.*

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

Short title.

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

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

13A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

Disclosure of information.

(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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*Miscellaneous Acts (Inspectors) Amendment.*

(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.

3. The Industrial Arbitration Act, 1940, is amended by 5 inserting after section 127 the following section :—

Amend-  
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Sec. 127A.  
Disclosure  
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10 127A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector appointed under this Act shall 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 made thereunder.

Penalty : \$500.

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*Miscellaneous Acts (Inspectors) Amendment.*

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

Amend-  
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Act No. 31,  
1944.

5 10A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

Sec. 10A.  
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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.

25 5. The Long Service Leave Act, 1955, is amended by inserting after section 9 the following section :—

Amend-  
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1955.

30 9A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

Sec. 9A.

Disclosure  
of  
informa-  
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*Miscellaneous Acts (Inspectors) Amendment.*

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

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15 (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.

6. The Factories, Shops and Industries Act, 1962, is amended— Amendment of Act No. 43, 1962.

- 20 (a) by omitting from the matter relating to Part II in section 2 the matter "7, 8" and by inserting instead the matter "7-8"; Sec. 2.  
(Division into Parts and Divisions.)
- (b) by inserting after section 7 the following section :— Sec. 7A.

25 7A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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. Disclosure of information.

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

Amend-  
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20 68A. (1) Subject to subsection (2), a person who is, or was at any time, an apprenticeship supervisor shall not disclose any information relating to any manufac-  
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Disclosure  
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- (c)

*Miscellaneous Acts (Inspectors) Amendment.*

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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 section 26 the following section :—

Amend-  
ment of  
Act No. 54,  
1969.  
Sec. 26A.

26A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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.

Disclosure  
of  
informa-  
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Penalty : \$500.

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*Miscellaneous Acts (Inspectors) Amendment.*

9. The Building and Construction Industry Long Service Payments Act, 1974, is amended by inserting after section 37 the following section :—

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ment of  
Act No. 98,  
1974.  
Sec. 37A.

5 37A. (1) Subject to subsection (2), a person who is, or was at any time, authorised under section 37 shall 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.

Disclosure  
of  
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10 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.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

[8c]



*PROOF*

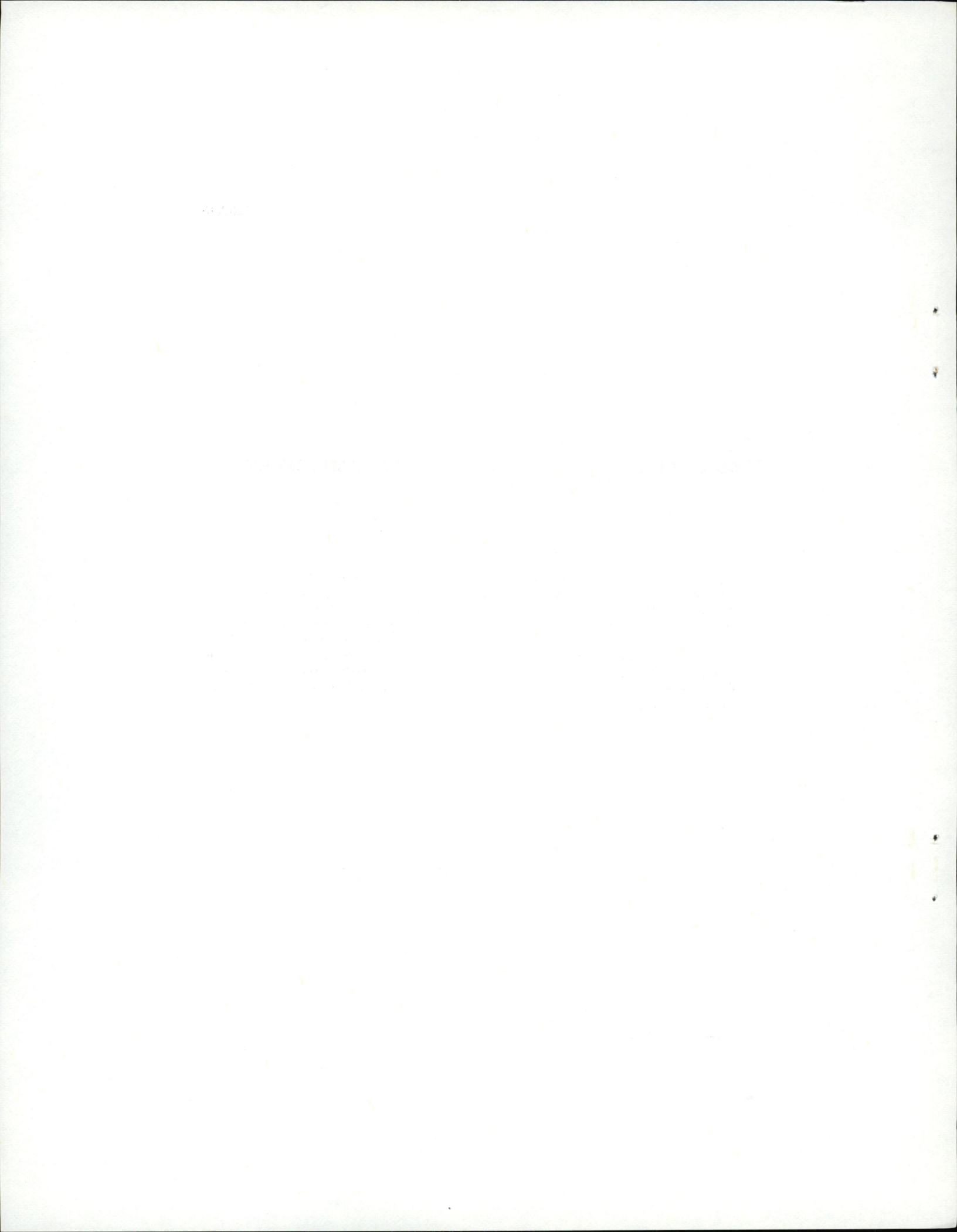
**MISCELLANEOUS ACTS (INSPECTORS) AMENDMENT  
BILL, 1976**

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**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.

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# 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 HILLS—8 *September*, 1976.]

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

Short title.

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

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

10 13A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

Disclosure of information.

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

20 (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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(3)

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*Miscellaneous Acts (Inspectors) Amendment.*

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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.

3. The Industrial Arbitration Act, 1940, is amended by  
5 inserting after section 127 the following section :—

127A. (1) Subject to subsection (2), a person who  
is, or was at any time, an inspector appointed under this  
Act shall not disclose any information relating to any  
10 manufacturing or commercial secrets or working pro-  
cesses 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  
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*Miscellaneous Acts (Inspectors) Amendment.*

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Sec. 10A. Disclosure of information.

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*Miscellaneous Acts (Inspectors) Amendment.*

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- 20 (a) by omitting from the matter relating to Part II in section 2 the matter "7, 8" and by inserting instead the matter "7-8"; Sec. 2. (Division into Parts and Divisions.)
- (b) by inserting after section 7 the following section :— Sec. 7A.

25 7A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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. Disclosure of information.

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*Miscellaneous Acts (Inspectors) Amendment.*

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ment of  
Act No. 54,  
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Sec. 26A.

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Disclosure  
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Penalty : \$500.

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1974.  
Sec. 37A.

5           37A. (1) Subject to subsection (2), a person who is, or was at any time, authorised under section 37 shall 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.

Disclosure  
of  
information.

10           Penalty : \$500.

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

- 15           (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
- 20           (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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

**New South Wales**



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 54, 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. [Assented to, 27th October, 1976.]

BE

*Miscellaneous Acts (Inspectors) Amendment.*

**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 follows :—

Short title.

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

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

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

Disclosure of information.

13A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 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, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(3)

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*Miscellaneous Acts (Inspectors) Amendment.*

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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.

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

Amend-  
ment of  
Act No. 2,  
1940.

Sec. 127A.  
Disclosure  
of  
informa-  
tion.

127A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector appointed under this Act shall 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 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, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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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*Miscellaneous Acts (Inspectors) Amendment.*

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Amend-  
ment of  
Act No. 31,  
1944.  
Sec. 10A.  
Disclosure  
of  
informa-  
tion.

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

10A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 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, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

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

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

Disclosure  
of  
informa-  
tion.

9A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

(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 made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

6. The Factories, Shops and Industries Act, 1962, is amended— **Amendment of Act No. 43, 1962.**

- (a) by omitting from the matter relating to Part II in section 2 the matter “7, 8” and by inserting instead the matter “7-8”; **Sec. 2. (Division into Parts and Divisions.)**
- (b) by inserting after section 7 the following section :— **Sec. 7A.**

7A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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. **Disclosure of information.**

(2)

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*Miscellaneous Acts (Inspectors) Amendment.*

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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;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

Amend-  
ment of  
Act No. 37,  
1969.  
Sec. 68A.

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

Disclosure  
of  
informa-  
tion.

68A. (1) Subject to subsection (2), a person who is, or was at any time, an apprenticeship supervisor shall 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 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)



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*Miscellaneous Acts (Inspectors) Amendment.*

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- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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 section 26 the following section :—

Amend-  
ment of  
Act No. 54,  
1969.  
Sec. 26A.

26A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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.

Disclosure  
of  
information.

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
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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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*Miscellaneous Acts (Inspectors) Amendment.*

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Amend-  
ment of  
Act No. 98,  
1974.  
Sec. 37A.

**9.** The Building and Construction Industry Long Service Payments Act, 1974, is amended by inserting after section 37 the following section :—

Disclosure  
of  
information.

37A. (1) Subject to subsection (2), a person who is, or was at any time, authorised under section 37 shall 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
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

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

*Legislative Assembly Chamber,  
Sydney, 7 October, 1976.*

## **New South Wales**



ANNO VICESIMO QUINTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 54, 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. [Assented to, 27th October, 1976.]

**BE**

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

**T. J. CAHILL,**  
*Chairman of Committees of the Legislative Assembly.*

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*Miscellaneous Acts (Inspectors) Amendment.*

---

**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 follows :—

Short  
title.

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

Amend-  
ment of  
Act No. 38,  
1912.  
Sec. 13A.

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

Disclosure  
of  
informa-  
tion.

13A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 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, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(3)

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*Miscellaneous Acts (Inspectors) Amendment.*

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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.

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

Amend-  
ment of  
Act No. 2,  
1940.

127A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector appointed under this Act shall 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 made thereunder.

Sec. 127A.  
Disclosure  
of  
informa-  
tion.

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, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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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*Miscellaneous Acts (Inspectors) Amendment.*

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Amend-  
ment of  
Act No. 31,  
1944.

Sec. 10A.  
Disclosure  
of  
informa-  
tion.

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

10A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 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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or
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

Amend-  
ment of  
Act No. 38,  
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Sec. 9A.

Disclosure  
of  
informa-  
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5. The Long Service Leave Act, 1955, is amended by inserting after section 9 the following section :—

9A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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 made thereunder.

(2)

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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 made thereunder;
- (b) made with the prior permission of the Minister; or
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

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6. The Factories, Shops and Industries Act, 1962, is amended—

Amendment of Act No. 43, 1962.

- (a) by omitting from the matter relating to Part II in section 2 the matter “7, 8” and by inserting instead the matter “7-8”;
- (b) by inserting after section 7 the following section :—

Sec. 2.  
(Division into Parts and Divisions.)

Sec. 7A.

7A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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.

Disclosure of information.

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*Miscellaneous Acts (Inspectors) Amendment.*

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- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

Amend-  
ment of  
Act No. 37,  
1969.

Sec. 68A.

Disclosure  
of  
informa-  
tion.

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

68A. (1) Subject to subsection (2), a person who is, or was at any time, an apprenticeship supervisor shall 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 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)



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*Miscellaneous Acts (Inspectors) Amendment.*

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(c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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 section 26 the following section :—

26A. (1) Subject to subsection (2), a person who is, or was at any time, an inspector shall 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
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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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*Miscellaneous Acts (Inspectors) Amendment.*

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Amend-  
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9. The Building and Construction Industry Long Service Payments Act, 1974, is amended by inserting after section 37 the following section :—

Disclosure  
of  
information.

37A. (1) Subject to subsection (2), a person who is, or was at any time, authorised under section 37 shall 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
- (c) ordered by a court, or by any other body or person authorised by law to examine witnesses, in the course of, and for the purpose of, the hearing and determination by that court, body or person of any matter or thing.

(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.

*In the name and on behalf of Her Majesty I assent to this Act.*

A. R. CUTLER,  
*Governor.*

*Government House,  
Sydney, 27th October, 1976.*