



New South Wales

Integrity Legislation Amendment Act 2022 No 77

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Act No 77, 2022

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. [Assented to 25 November 2022]

The Legislature of New South Wales enacts—

1 Name of Act

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

2 Commencement

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

Schedule 1 Amendments of Acts

1.1 Constitution Act 1902 No 32

[1] Section 14A Disclosure of pecuniary interests and other matters by Members

Omit section 14A(1)(a)(vii). Insert instead—

- (vii) details of Members' interests in trusts, including discretionary trusts and self-managed superannuation funds,
- (viiia) details of real property held by discretionary trusts, if a Member is a potential beneficiary of the discretionary trust,
- (viiib) other matters relating to trusts,

[2] Section 14A Disclosure of pecuniary interests and other matters by Members

Insert after section 14A(1)(a)(viiib)—

- (viiic) water entitlements and other interests in water,

[3] Section 14A(1)(a)(xii)

Insert "or other matters" after "or liabilities".

[4] Section 14A(1A)

Insert after section 14A(1)—

- (1A) If a regulation is made under subsection (1)(c) requiring the compilation and maintenance of registers, the regulation must include the following requirements—
 - (a) that the registers be kept in an electronic format, that is searchable, within 12 months after the making of the regulation,
 - (b) that the registers be accessible by members of the public, subject to any limitations prescribed in the regulations to protect—
 - (i) the privacy of persons other than Members of either House of Parliament, or
 - (ii) the safety of a person or class of persons.

[5] Section 14A(4A)

Insert after section 14A(4)—

- (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.

1.2 Independent Commission Against Corruption Act 1988 No 35

[1] Section 9 Limitation on nature of corrupt conduct

Insert "or Parliamentary Secretary" after "Minister of the Crown" in section 9(1)(d).

[2] Section 9(3)

Insert “or Parliamentary Secretary” after “Minister of the Crown” wherever occurring in the definition of *applicable code of conduct*, paragraphs (a) and (b).

[3] Section 9(4)

Insert “or Parliamentary Secretary” after “Minister of the Crown”.

[Second reading speech made in—
Legislative Assembly on 9 November 2022
Legislative Council on 17 November 2022]