

Public Interest Disclosures Act 1994
Local Aboriginal Land Councils

Discussion Paper

December 2017

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There are 120 local Aboriginal Land Councils (LALCs) located across NSW. Under section 50 of the *Aboriginal Land Rights Act 1983* (ALRA), a LALC is constituted as a statutory corporation in respect of each local Aboriginal Land Council area. The network of LALCs was established to ‘improve, protect and foster the best interests of all Aboriginal persons within the Council’s area and other persons who are members of the Council’ (s 51, ALRA). Individual LALCs differ vastly in resources, financial status and activities.

Questions have been raised about whether LALCs fall under the *Public Interest Disclosures Act 1994* (PID Act). The PID Act sets in place a system to encourage public officials to report serious wrongdoing. It is important to clarify the status of LALCs and their reporting obligations.

This paper:

- sets out the relevant legislative interpretation issues
- considers whether, as a matter of policy, LALC public officials should receive protection for making reports of serious wrongdoing
- seeks feedback on whether LALCs should be exempt from the PID Act reporting requirements.

The outcome of this work will clarify the application of the PID Act and, if necessary, assist the NSW Ombudsman and the Public Interest Disclosures Steering Committee to develop recommendations for legislative or administrative reform.

Part 1. Does the PID Act apply to LALCs?

The PID Act sets in place a system to encourage public officials to report serious wrongdoing they may witness at work. Public officials can make a public interest disclosure (PID) about corrupt conduct, serious maladministration, serious and substantial waste, a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act), or a pecuniary interest contravention under the *Local Government Act 1993*. The PID Act provides protections to those who report wrongdoing.

Two key concepts in the PID Act are the terms ‘public official’ and ‘public authority’.

1.1. Who is a public official?

The PID Act was enacted in 1994 (as the *Protected Disclosures Act 1994*) and substantially amended in 2011 and renamed the Public Interest Disclosures Act. The term ‘public official’ is relevant in two contexts: the right to make a PID is confined to persons who come within the definition of official, and a PID may be made about the conduct of a public official.

Prior to the 2011 amendments, staff and board members of LALCs fell within that part of the definition of ‘public official’ that applied to ‘any other individual having public official functions or acting in a public official capacity, whose conduct and activities may be investigated by an investigating authority’.¹ In short, the conduct of LALC members in the discharge of public functions could be investigated by an investigatory authority such as the Ombudsman.

A new definition of ‘public official’ was inserted in 2011,² imposing an additional requirement, to read as follows:

(a) an individual who is an employee of or otherwise in the service of a public authority, and includes (without limitation) each of the following:

(i) a Public Service employee,

1. Section 4, *Protected Disclosures Act 1994*.

2. Section 4A, *Public Interest Disclosures Act 1994*.

- (ii) a member of Parliament, but not for the purposes of a disclosure made by the member,
- (iii) a person employed by either or both of the President of the Legislative Council or the Speaker of the Legislative Assembly,
- (iv) any other individual having public official functions or acting in a public official capacity whose conduct and activities may be investigated by an investigating authority,
- (v) an individual in the service of the Crown, or...

This amendment limited the meaning of 'public official' to those employed by or in the service of a 'public authority'.

1.2. What is a public authority?

The term 'public authority' is defined in a circular manner in the PID Act,³ as follows:

public authority means any public authority whose conduct or activities may be investigated by an investigating authority, and includes (without limitation) each of the following:

- (a) a Public Service agency,
- (b) a State owned corporation and any subsidiary of a State owned corporation,
- (c) a local government authority,
- (d) the NSW Police Force, PIC and PIC Inspector,
- (e) the Department of Parliamentary Services, the Department of the Legislative Assembly and the Department of the Legislative Council.

The term 'public authority' does not have fixed meaning in NSW legislation (for example, it is not defined in the *Interpretation Act 1987*). The term is used and defined differently for the purpose of various Acts⁴ – for example, it is defined in the *Ombudsman Act 1974*, *Independent Commission Against Corruption Act 1988* (ICAC Act), *GIPA Act* and *ALRA Act*.

Of particular relevance to the present discussion is s 248 of the ALRA, which provides:

Aboriginal Land Councils to be public authorities etc for certain purposes ...

(1) *Each Aboriginal Land Council is taken to be a public authority for the purposes of the Ombudsman Act 1974, the Independent Commission Against Corruption Act 1988 and the Government Information (Public Access) Act 2009.*

(2) *Despite subsection (1), a Local Aboriginal Land Council is not taken to be an agency for the purposes of section 6 of the Government Information (Public Access) Act 2009.*

The recent review of the PID Act conducted by the Joint Parliamentary Committee of the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission (JPC) has recommended that section 4 of the PID Act be amended to include LALCs in the definition of public authority.⁵

3. Section 4, *Public Interest Disclosures Act 1994*.

4. The concepts of 'public authority' and 'authority' are considered in depth in *Commissioner of Taxation v Bank of Western Australia Ltd Commissioner of Taxation v State Bank of New South Wales Ltd* [1995] FCA 1028; 133 ALR 599 (Full Court) and in *Director-General, Department of Environment, Climate Change and Water v Venn* [2011] NSWLEC 118.

5. Joint Parliamentary Committee of the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission, October 2017, Review of the Public Interest Disclosure Act 1994, p37.

1.3. NSW Aboriginal Land Council's view on the application of the PID Act

The PID Unit in the Ombudsman's office sought comment from the NSW Aboriginal Land Council (NSWALC) while undertaking a review of the *Ombudsman's office Model internal reporting policy for local Aboriginal land councils*. The NSWALC response stated:

The NSWALC remains of the view that the Public Interest Disclosure Act 1994 (PID Act) does not apply to Local Aboriginal Land Councils (LALC). This is because LALCs are not "public authorities" for the purposes of any law in NSW.

Section 248 of the Aboriginal Land Rights Act 1984 (ALRA) provides that a LALC is "taken to be a public authority for the purposes of the Ombudsman Act 1974..." and other Acts listed in that section. This is a deeming provision which deems a LALC to be a public authority in limited circumstances. A LALC is not otherwise a public authority. In the absence of the deeming provision in s. 248 of the ALRA, there is no other law in NSW which makes a LALC a public authority.

Importantly, pursuant to s. 248 of the ALRA, a LALC is only deemed to be a public authority "for the purpose of" the three Acts listed in that section. The PID Act is not listed in s. 248, and therefore a LALC is not a public authority for the purposes of the PID Act.

The PID Act defines a public authority as follows...

The important point to make about this definition is that it refers to "any public authority whose conduct or activities may be investigated by an investigating authority". So, in order to be caught by the definition of "public authority" as defined in the PID Act the body or entity needs to be a "public authority" under the legislative scheme by which it exists, and it must be subject to investigation by an investigating authority.

LALCs fail this first test as they are not under any law in NSW a public authority. They are only "taken to be" a public authority, but only for the purposes of the three Acts set out in s. 248 of the ALRA and not for the PID Act.

To be abundantly clear, we accept that the NSWALC must comply with the PID Act (due to its management of the statutory account), but we do not believe that the PID Act applies to LALCs or that LALCs and their members and staff are capable of accessing the protections provided by the PID Act.

1.4. An alternative view

The Ombudsman Act empowers the Ombudsman to investigate the conduct of public authorities. That term is defined broadly in the Ombudsman Act to extend, for example, to 'any statutory body representing the Crown' and 'any person in the service of the Crown or of any statutory body representing the Crown'.⁶

A question might arise as to whether a LALC is a statutory body representing the Crown, except that s 247 of the ALRA states that 'An Aboriginal Land Council is not, for the purposes of any law, a statutory body representing the Crown'. It is in the context of that statement that s 248 goes on to provide that (as quoted above) a LALC is taken to be a public authority for the purposes of the Ombudsman Act, ICAC Act and GIPA Act.

The Ombudsman's office has proceeded on the basis that bodies that are public authorities under the Ombudsman Act are also public authorities under the PID Act. As noted above, the PID Act applies to 'any public authority whose conduct or activities may be investigated by an investigating authority'. The Ombudsman is an 'investigating authority' under the PID Act.⁷

The Ombudsman's response to the argument put by the NSWALC is that s 248 of the ALRC is a deeming and not a governing provision. In effect, s 248 is to be read in context with s 247 and aims to remove doubt by providing that a LALC is 'taken to be' a public authority for the purposes of the Ombudsman Act and other Acts. This does not carry a necessary implication that a LALC would not be treated as a public authority but for the operation of s 248.

6. Section 5, *Ombudsman Act 1974*.

7. Section 4(1), *Public Interest Disclosures Act 1994*.

Further, the fact that s 248 only specifies three Acts does not mean a LALC cannot be characterised as a 'public authority' in any other context. Had Parliament so intended it might, for example, have included the additional statement that a LALC 'is not to be taken to be a public authority for the purpose of any other law' (this would be akin to the statement in s 247 that a LALC is not to be taken to be a statutory body representing the Crown).

A further consideration is that the PID Act can be regarded as beneficial legislation. A purpose of the Act is to provide protection for public officials who disclose information in circumstances that might otherwise result in adverse legal or employment consequences. It is a principle of statutory construction that 'Where legislation is identified as being beneficial and remedial, ... such legislation should be given a "fair, large and liberal" interpretation, rather than one which is "literal or technical."' ⁸ On that view, an interpretation of the PID Act should be favoured that extends its valuable protection to public officials who are employed by LALCs.

Part 2. Should the PID Act apply to LALCs?

This section outlines some public policy considerations that may support the application of the PID Act to LALCs.

2.1. General principles

The general purposes of the PID Act are to strengthen the protections for public officials who report wrongdoing, 'encourage and facilitate the disclosure of wrongdoing in the public sector' and 'strengthen the integrity of public administration' in NSW.⁹

The purpose of the ALRA is to provide land rights for Aboriginal people of NSW in recognition of the loss and dispossession of their land. The principle of self determination underpins the establishment of representative Aboriginal Land Councils. The scheme of the Act is to vest land in those councils and for councils to manage that land.

The principle of public accountability of land councils operates alongside the principle of self determination. This was ensured by the introduction in 1990 of s 248 of the ALRA, which aims to guarantee the public accountability of land councils by placing them within the jurisdiction of the Ombudsman and ICAC, and providing a right of access to information about decisions and actions of land councils through the forerunner of the GIPA Act (the *Freedom of Information Act 1989*).¹⁰ The Minister's Second Reading Speech in introducing s 248 noted that accountability mechanisms should help in identifying problems at an early stage so that they can be rectified with minimal disruption to the land council network.¹¹

Amendments to the ALRA in 2017 consolidate the desire to strengthen transparency and good governance practices.¹² This aligns with the objective of the PID Act to encourage the disclosure of public interest wrongdoing.

8. *IW v City of Perth* (1997) 191 CLR 1, 12 (Brennan CJ, McHugh J); 39 (Gummow J). See also *AB v Western Australia* (2011) 244 CLR 390, [24].

9. The Hon. Marie Ficarra, New South Wales Parliamentary Debates (NSWPD), Legislative Council, 25 March 2013, p.19209

10. Department of Aboriginal Affairs 2000, *Background paper: Aboriginal Land Rights Act 1983 (NSW)*.

11. The Hon. Nick Greiner, NSWPD, Legislative Council, 13 September 1990, p.7174.

12. The Hon. Mick Veitch, NSWPD, Legislative Council, 21 February 2017, p.50

2.2. Protections in the PID Act

The PID Act sets in place a system to encourage public officials to report serious wrongdoing by providing them with certain legal protections if they report. These protections are set out in Part 3 of the PID Act and include:

- **Protection against reprisals.** The PID Act deters detrimental action in reprisal for a person making a PID by providing that such action is not only a ground for disciplinary action in the workplace but also a criminal offence. The PID Act allows an investigating authority or any other public authority with the approval of the Attorney General to apply to the Supreme Court for an injunction to prevent detrimental action being taken. In the instance detrimental action is taken, the PID Act provides grounds for compensation for any loss or damage a person suffers as a result of reprisal action.
- **Protection against actions.** A reporter cannot be held liable for any damages that may arise out of the public interest disclosure. For example, if the subject of allegation has their employment terminated or suffers damage to their reputation, they cannot make any claim against the reporter. Additionally, if the reporter makes a PID to an external party, in certain circumstances, they cannot be disciplined for breaching the confidentiality of their employer.
- **The right to confidentiality.** Information must not be disclosed that might identify a person has made a PID unless the reporter has given consent or it is essential to ensure procedural fairness is afforded to all parties involved.

Protecting and supporting staff or other ‘insiders’ who raise concerns about serious wrongdoing within an organisation is an important part of any robust governance framework. LALCs are essentially representative bodies that can be responsible for significant amounts of money, housing, the provision of jobs and welfare services to their members. They have a statutory role to assist their community.

The Independent Commission Against Corruption (ICAC) has previously emphasised that lack of accountability is the primary cause of corrupt conduct in LALCs.¹³ It is often only staff and members who can ensure that board members are acting in the best interests of the community.

To encourage those individuals to voice any concerns they may have, it is critical that they are provided with statutory protection. Research regarding attitudes to reporting workplace corruption indicated that the existence of whistleblower protection legislation might encourage people to make a report which they may not normally consider making.¹⁴

2.3. Wrongdoing within LALCs

In the course of our engagement with LALCs, staff of LALCs have informally raised concerns with our office about issues such as financial mismanagement, the improper receipt of gifts and benefits, nepotism (eg board members placing considerable pressure to appoint relatives and friends to temporary employment positions) and undeclared conflicts of interests. LALCs reported receiving 39 PIDs over the five year period 1 January 2012 to 31 December 2016 – 27 alleging corrupt conduct, 10 alleging maladministration and two alleging a waste of public funds.¹⁵

During a similar period (February 2012 to December 2016), ICAC received 152 complaints about the Aboriginal land council network, predominantly in relation to LALCs. ICAC has conducted a number of investigations into LALCs, three of which have involved public inquiries. The allegations relate to issues such as the improper use or acquisition of funds or resources by people in positions of trust, unmanaged

13. Independent Commission Against Corruption 1998, *Report on investigation into Aboriginal Land Councils in New South Wales: corruption prevention and research volume*, Independent Commission Against Corruption Redfern, NSW.

14. L. Zipparo 1999, Encouraging public sector employees to report workplace corruption, *Australian Journal of Public Administration*, 58(2), p.83-93.

15. Under s 6CA of the PID Act, public authorities are required to provide statistical information to the NSW Ombudsman every six months. Without further information, the NSW Ombudsman is unable to comment on whether these disclosures met the criteria set out in the PID Act.

conflicts of interests, inducements from land developers and partiality in the allocation of resources.¹⁶ LALCs own and manage large tracts of land and they face corruption risks when making land dealings, such as joint ventures with developers.¹⁷

Two recent reports by the ICAC made findings of corrupt conduct against LALC public officials:

- *Casino Boolangle LALC*: ICAC found that the former CEO and administrative officer engaged in serious corrupt conduct by dishonestly exercising their functions to obtain money to which they were not entitled. Although it was not possible to determine an exact amount, a number of cheques totalling over \$77,000 had been drawn and cashed without supporting documentation. The allegations were initially made by auditors engaged by the LALC to the NSW Police Force.¹⁸
- *Gandangara LALC*: ICAC found that members of the board partially exercised their official functions by agreeing to employment arrangements with the CEO under which his company derived benefits from the LALC. It was also alleged that the CEO improperly exercised his public official functions by authorising the payment of LALC funds, including payments made for his benefit and the benefit of his company, to which he knew he was not lawfully entitled. The allegations were initially made by the administrator of the LALC to the then Minister for Aboriginal affairs. Further information was later provided to the Minister by the auditors for the LALC.¹⁹

These examples highlight that people working within or for LALCs are one of the most important and accurate sources of information for identifying and addressing serious problems.

2.4. Increased risk of reprisal?

Many LALCs are small and regionally based. By the very nature of these organisations, public officials within LALCs may face an increased risk of reprisal for reporting serious wrongdoing.

In small communities, it is less likely that the reporter's identity can be kept confidential. Research shows that employees in small immediate workgroups or organisations are more likely to face retaliation than those in larger workgroups given the higher level of workplace interaction with the subject of the allegations and the greater likelihood that the environment is conducive to retaliatory action.²⁰ Ostracism can be more severe in rural areas because it is more difficult to offer protection against social and other reprisals in small communities where work life and social life overlap.²¹

Chief Executive Officers are in a particularly vulnerable position given that board members, as representatives of the council, can make decisions about their employment. For example, a Northern Territory Indigenous corporation settled a legal challenge in the Federal Court with its former chief executive, who had his employment terminated after he raised concerns about financial irregularities.²²

This scenario is analogous to local government where a council may vote to terminate the employment contract of a general manager. The PID Act can provide important statutory protections in this regard – for example, two general managers of local government councils who made disclosures about alleged corrupt conduct by councillors were granted injunctions by the Supreme Court to prevent councillors from implementing a decision to terminate their contract.²³

16. ICAC 2017, *Governance and regulation in the NSW Aboriginal land council network*, p.5.

17. ICAC 2012, *Investigation into the conduct of officers of the Wagonga local Aboriginal land council and others*.

18. ICAC 2017, *Investigation into the conduct of a Casino Boolangle local Aboriginal land council CEO and administrative officer*.

19. ICAC 2017, *Investigation into the conduct of a former chief executive officer and members of the board of the Gandangara local Aboriginal land council*.

20. AJ Brown & J Olsen 2008, *Whistleblower mistreatment: Identifying the risks* in AJ Brown (ed.), *Whistleblowing in the Australian public sector*, p.147-148; Ethics Resource Center 2010, *Retaliation: The cost to your company and its employees*, p.3.

21. Zipparo, 1999.

22. J Bardon 2016, *Payout to sacked Indigenous corp whistleblower who raised alarm on financial irregularities*, ABC News.

23. *Cessnock City Council v Rush* [2012] NSWLEC 178; *Ryde City Council v Petch*; *ICAC v Ryde City Council* [2012] NSWSC 1246.

Part 3. Implications of applying the PID Act apply to LALCs?

This section notes some of the features of the PID Act that would be particularly relevant to LALCs if the PID Act applied to them (either by acceptance of the ‘alternative view’ discussed above, or by amendment of the PID Act or the ALRA Act). An issue of particular importance is whether the application of the PID Act to LALCs would impose an undue reporting burden.

3.1. Who within a LALC would be considered a public official?

As noted above, the definition of ‘public official’ is relevant to identifying both who can make a PID, and who a PID can be made about. The definition of ‘public official’ in the PID Act s 4A includes an ‘individual having public official functions or acting in a public official capacity’.

A similar definition in the ICAC Act has been explained by ICAC as follows:

A LALC is taken to be a “public authority” for the purposes of the ICAC Act pursuant to section 248 of the Land Rights Act. Section 3 of the ICAC Act defines a “public official” as an individual having public official functions or acting in a public official capacity and includes “an individual who constitutes or is a member of a public authority”. The board members and the CEO of a LALC, therefore, fall within the definition of a “public official”.

The Land Rights Act distinguishes between voting members and non-voting members (section 55 of the Land Rights Act). Voting members of a LALC exercise a number of functions, including the approval of land dealings and election of LALC board members (section 52G of the Land Rights Act). Voting members, therefore, exercise various official functions in relation to the affairs of the LALC, the functions being “official” as they are authorised by an act of the NSW Parliament. Voting members, therefore, also come within the definition of “public official” in the ICAC Act because they have public official functions and are members of a public authority.²⁴

The PID Act also provides that ‘an individual who is engaged by a public authority under a contract to provide services to or on behalf of the public authority’ is a public official (s 4A(1)(b)).

3.2. The requirements under the PID Act

Under s 6E of the PID Act, the head of a public authority must ensure that:

- the authority has a policy for receiving, assessing and dealing with PIDs
- the policy designates at least one officer of the authority as being responsible for receiving PIDs
- the staff of the authority are aware of the contents of the policy and the protections under the PID Act
- the authority complies with the policy and the authority’s obligations under the PID Act.

Public authorities are also required to provide:

- six-monthly reports to the NSW Ombudsman on their compliance with the PID Act (s 6CA)
- an annual report on their obligations under the PID Act to the relevant Minister to be tabled in each House of Parliament (s 31).

Reports from public authorities inform the NSW Ombudsman about whether they are meeting their obligations under the PID Act, such as facilitating staff awareness and having an internal reporting policy in place. They assist the NSW Ombudsman in its oversight role to promote public awareness and understanding of the PID Act and monitor its operation.

²⁴. ICAC 2012, *Investigation into the conduct of officers of the Wagonga local Aboriginal land council and others*, p.10.

The recent review of the PID Act conducted by the JPC recommends amending the PID Act to require public authorities to report on the action that was taken in response to any PIDs received and whether the PID resulted in any organisational changes or improvements.²⁵

3.3. Compliance to date

Following the commencement of the reporting requirements on 1 January 2012, only 18 LALCs submitted reports for the first reporting period (January to June 2012), and six LALCs for the second and third reporting periods (July to December 2012 and January to June 2013). The NSW Ombudsman sought to engage with LALCs by:

- making telephone calls to the CEOs of LALCs to discuss the PID Act
- developing a model internal reporting policy specific to the structure of LALCs and a fact sheet, Reports of serious wrongdoing – A quick guide to public interest disclosures for LALCs
- attending regional forums and delivering training to individual LALCs.

NSWALC has been instrumental in supporting LALCs meeting their obligations under the PID Act by building the PID Act reporting requirements into their regular risk assessment schedule. There has been a significant improvement in reporting, with 94% of LALCs providing at least one PID report since January 2012. In the July to December 2016 reporting period, 73% of LALCs provided reports (n = 88), compared to 94% of state government agencies and local councils.

Information provided in the PID reports show that the proportion of LALCs meeting their other obligations in the PID Act is increasing. In the July to December 2016 period, 70% of LALCs indicated that they had a PID policy while 76% indicated they had raised staff awareness.

3.4. A compliance burden?

It is recognised that the PID Act requirements sit within a suite of legislative and regulatory requirements applicable to LALCs, such as work health and safety legislation, financial reporting requirements, taxation, superannuation obligations and certain obligations and responsibilities under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth).

Legislative obligations and regulation also disproportionately burden small organisations with limited administrative capacity. The vast majority of LALCs have fewer than 10 staff. The recent review of the PID Act conducted by the JPC recommends the obligations on public authorities under the Act do not extend to authorities without any staff.²⁶

Section 6CA(4A) of the PID Act provides that the PID Regulation may exempt any specified public authority (or any specified class of public authorities) from the reporting requirements under that section. The other obligations in the PID Act, such as having a PID policy and handling a PID in accordance with the Act, would still apply.

In March 2015, the PID Steering Committee decided that it would not be appropriate to exempt any public authorities for reasons of transparency. It was also noted that the reporting requirements themselves raise awareness of the PID Act as it functions as a reminder of the legislation and encourages good record-keeping. For example, the NSW Ombudsman has found that the increased contact with LALCs about the reporting requirements has led to LALCs proactively seeking advice about how to handle reports of wrongdoing that they have received.

It is also noted that the NSW Ombudsman's submission to the current review of the PID Act by the JPC recommended reducing the frequency of the reporting to an annual basis for all public authorities.²⁷

25. JPC, 2017, Review of the Public Interest Disclosure Act 1994, p33.

26. JPC, 2017, Review of the Public Interest Disclosure Act 1994, p38.

27. NSW Ombudsman 2016, *Review of the Public Interest Disclosure Act 1994: Submission*, p.17.

Part 4. Options for legislative change

If the policy position is that the PID Act benefits LALCs, there are three options to put beyond doubt that LALCs are public authorities and LALC staff and board members can both make and be the subject of PIDs:

- Adding the PID Act into s 248 of the ALRA.
- Amending the definition of 'public authority' in section 4 of the PID Act to specifically refer to LALCs. As noted above, this is the option recommended by the JPC.
- Amending the PID Act or Regulations to deem LALCs to be a subsidiary of the NSWALC for all or specified obligations under the PID Act.

The Ombudsman's office made the second suggestion in the background paper provided to the JPC to inform its current review of the PID Act.²⁸ This was primarily in response to arguments by Chief Executive Officers that they are not public authorities because of a belief they are not state funded.

Given the timing of the current review of the PID Act is unknown, in the interim the Steering Committee may wish to make a recommendation to the Premier to amend the legislation to clarify this issue.

Part 5. Issues for consideration

We would like you to provide us with any comments you may have on the following questions, as well as any additional information you feel may be relevant or useful:

1. Is there currently a lack of clarity about whether LALCs are public authorities in terms of the PID Act?
2. Should public officials who report serious wrongdoing within LALCs be able to rely on the statutory protections provided by the PID Act?
3. Should LALCs be exempt from the six-monthly reporting requirements under s 6CA of the PID Act?

Please provide any comments and feedback by 31 January 2018 to pid@ombo.nsw.gov.au.

28. NSW Ombudsman 2016, *Review of the Public Interest Disclosure Act 1994: Background paper*, pp.6-7.



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