

**INDEPENDENT COMMISSION AGAINST CORRUPTION ACT
1988—REGULATION**

(Relating to public hospitals and principal officers)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and on the recommendation of the Commissioner for the Independent Commission Against Corruption, and in pursuance of the Independent Commission Against Corruption Act 1988, has been pleased to make the Regulation set forth hereunder.

JOHN FAHEY,
Premier.

The Independent Commission Against Corruption (General) Regulation 1989 is amended by inserting after clause 11 the following clauses:

Definition of “public authority”

12. For the purposes of the definition of “public authority” in section 3 (1) of the Act, the following bodies are declared to be bodies within that definition:

- (a) an incorporated hospital within the meaning of the Public Hospitals Act 1929;
- (b) a separate institution within the meaning of the Public Hospitals Act 1929.

Principal officers of public authorities

13. For the purposes of section 11 (5) of the Act:

- (a) a chief executive officer of an area health board is prescribed as the principal officer of the area health service for which the board is constituted; and

- (b) the Chief Executive Officer of the Ambulance Service Board is prescribed as the principal officer of the Ambulance Service; and
- (c) the chief executive officer (however designated) of an incorporated hospital within the meaning of the Public Hospitals Act 1929 is prescribed as the principal officer of the hospital; and
- (d) the chief executive officer (however designated) of a separate institution within the meaning of the Public Hospitals Act 1929 is prescribed as the principal officer of the institution.

EXPLANATORY NOTE

The object of this Regulation is to extend the definition of “public authority” in the Act (which currently includes government departments, statutory bodies representing the Crown and persons or bodies whose accounts are audited by the Auditor-General) to include public hospitals (i.e. incorporated hospitals and separate institutions under the Public Hospitals Act 1929). This will bring public hospitals under the scope of the Act and, in particular, enable investigations to be conducted by the Independent Commission Against Corruption into allegations or complaints of corrupt conduct in connection with the functions of public hospitals.

This Regulation also prescribes the chief executive officers of area health boards, the Ambulance Service Board and public hospitals as the principal officers of their respective public authorities. Under section 11 of the Act, the principal officer of a public authority is under a duty to report to the Commission any matter that the officer suspects on reasonable grounds concerns or may concern corrupt conduct.
