

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

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.

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.

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;
- (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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(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. 2,
1940.
Sec. 127A.
Disclosure
of
informa-
tion.**

3. The Industrial Arbitration Act, 1940, is amended by 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 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.

Miscellaneous Acts (Inspectors) Amendment.

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

Amend-
ment of
Act No. 31,
1944.

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.
Disclosure
of
informa-
tion.

(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.

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

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

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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(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. 43,
1962.

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

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

- (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. 7A.

- (b) by inserting after section 7 the following section :—

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of
informa-
tion.

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.

(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;
- (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.

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

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

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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of
informa-
tion.

(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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(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. 54,
1969.
Sec. 26A.

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

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of
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tion.

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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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.

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.

