

Public Interest Disclosures Regulation 2011

[2011-630]



New South Wales

Status Information

Currency of version

Repealed version for 1 January 2014 to 30 September 2023 (accessed 18 July 2024 at 5:28)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**
This Regulation was repealed by by the [Public Interest Disclosures Act 2022 No 14](#), sec 90 with effect from 1.10.2023.
- **Staged repeal status**
This legislation is currently due to be automatically repealed under the [Subordinate Legislation Act 1989](#) on 1 September 2024

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 October 2023

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1 Name of Regulation

This Regulation is the *Public Interest Disclosures Regulation 2011*.

2 Commencement

This Regulation commences on 1 January 2012 and is required to be published on the NSW legislation website.

3 Definitions

(1) In this Regulation:

public interest disclosures policy means the policy that each public authority is required under section 6D of the Act to have in effect (being a policy that provides for the public authority's procedures for receiving, assessing and dealing with public interest disclosures).

the Act means the *Public Interest Disclosures Act 1994*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Information to be included in reports by public authorities

(1) This clause applies to:

- (a) each annual report of a public authority prepared under section 31 of the Act, and
- (b) each 6-monthly report of a public authority required to be provided to the Ombudsman under section 6CA of the Act.

(2) A report to which this clause applies is to include the following information concerning the period to which the report relates:

- (a) the number of public officials who have made a public interest disclosure to the public authority,
- (b) the number of public interest disclosures received by the public authority in total and the number of public interest disclosures received by the public authority

relating to each of the following:

- (i) corrupt conduct,
 - (ii) maladministration,
 - (iii) serious and substantial waste of public money or local government money (as appropriate),
 - (iv) government information contraventions,
 - (v) local government pecuniary interest contraventions,
- (c) the number of public interest disclosures finalised by the public authority,
 - (d) whether the public authority has a public interest disclosures policy in place,
 - (e) what actions the head of the public authority has taken to ensure that his or her staff awareness responsibilities under section 6E (1) (b) of the Act have been met.

(2A) A report must provide the information required by subclause (2) (a) and (b) in relation to each of the following, separately:

- (a) public interest disclosures made by public officials in performing their day to day functions as such public officials,
- (b) public interest disclosures not within paragraph (a) that are made under a statutory or other legal obligation,
- (c) all other public interest disclosures.

(3) In subclause (2) (c), a reference to a public interest disclosure is a reference to a public interest disclosure received by a public authority on or after 1 January 2012.

5 Transitional provision—reports to Parliament by public authorities

Section 31 of the Act, as inserted into the Act by the *Protected Disclosures Amendment (Public Interest Disclosures) Act 2010*, does not apply in relation to any portion of a reporting year of a public authority that occurs before 1 January 2012 (being the date of insertion of that section).