

Ombudsman and Public Interest Disclosures Legislation Amendment Act 2014 No 86

[2014-86]



New South Wales

Status Information

Currency of version

Repealed version for 29 November 2014 to 5 March 2015 (accessed 28 November 2024 at 23:44)

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**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 6.3.2015.

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](#).

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Contents

Long title	3
1 Name of Act	3
2 Commencement	3
3 Explanatory notes	3
Schedule 1 Amendment of Ombudsman Act 1974 No 68	3
Schedule 2 (Repealed)	4

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New South Wales

An Act to amend the *Ombudsman Act 1974* with respect to the giving of evidence; and to amend the *Public Interest Disclosures Act 1994* with respect to reporting requirements and the referral of matters.

1 Name of Act

This Act is the *Ombudsman and Public Interest Disclosures Legislation Amendment Act 2014*.

2 Commencement

- (1) Schedule 1 to this Act commences on 5 March 2015.
- (2) Schedule 2 to this Act commences on the date of assent to this Act.

3 Explanatory notes

The matter appearing under the heading “Explanatory note” in the Schedules does not form part of this Act.

Schedule 1 Amendment of *Ombudsman Act 1974 No 68*

Section 35 Ombudsman, officer or expert as witness

Omit section 35 (3). Insert instead:

- (3) Subsection (1) applies to the following persons in the same way as it applies to the Ombudsman and officers of the Ombudsman:
 - (a) a former Ombudsman,
 - (b) a former officer of the Ombudsman,
 - (c) an Australian legal practitioner who is or was appointed under section 19 (4) to assist the Ombudsman,

- (d) a person whose services are or were engaged under section 23.
- (4) Subsection (3) extends to information obtained by those persons before its substitution by the *Ombudsman and Public Interest Disclosures Legislation Amendment Act 2014*.
- (5) The Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission is to review the operation of subsections (3) and (4) as soon as possible after 5 March 2016.

Explanatory note

The proposed amendment to the *Ombudsman Act 1974* ensures that former office holders (including the Ombudsman), experts formerly engaged to assist the Ombudsman and Australian legal practitioners appointed or formerly appointed to assist the Ombudsman cannot give evidence or produce any document in legal proceedings in respect of any information obtained in the course of office or service with the Ombudsman. At present, current office holders and experts currently engaged to assist the Ombudsman cannot give such evidence or produce such documents in legal proceedings.

Schedule 2 (Repealed)