



REES DELIVERS ADDITIONAL POWERS TO THE ICAC

28 November 2008

The NSW Government today introduced legislation into Parliament to increase the powers of the Independent Commission Against Corruption.

Premier Nathan Rees said that this is another step towards returning confidence in the NSW Government.

“This Bill highlights my Government’s commitment to ensuring that the ICAC remains the most robust and effective integrity system possible,” Mr Rees said.

“The ICAC helps to maintain and promote integrity and accountability across the public sector.

“That’s why we are making changes to ensure the ICAC has all of the powers it needs to perform its important work.”

The ICAC Amendment Bill will:

1. Clarify the ICAC’s power to make non-publication orders for written submissions, including submissions from Counsel Assisting.
2. Extend the period within which proceedings may be commenced for providing false information to the ICAC and impersonating an ICAC officer from 6 months to 3 years;
3. Increase the penalty for giving false information to the ICAC from \$2200 or 6 months imprisonment to \$5,500 or 12 months imprisonment. This ensures consistency in relation to penalties for other similar offences in the Act of providing false information; and
4. Clarify that the ICAC is to direct its attention to two types of corrupt conduct, being serious corrupt conduct and systemic corrupt conduct.

This Bill also amends the Protected Disclosures Act to remove any doubt about its coverage.

“The *Protected Disclosures Act* provides whistleblower protection for public officials who disclose corrupt conduct, maladministration and waste of public money,” Mr Rees said.

“The Bill will also remove any doubt about who is covered and make it crystal clear that all public servants are protected by this Act.”

Mr Rees said the Government is committed to ensuring that the legislation which governs the ICAC is effective.

“Most of the amendments contained in this Bill have been recommended by the Independent Commission Against Corruption and the Joint Parliamentary Committee which oversees it,” Mr Rees said.

“This year marks the twentieth anniversary of the establishment of the Independent Commission Against Corruption.

“It is the oldest body of its kind in Australia and I will do whatever it takes to ensure it remains an effective tool against corruption in this State.”

The Premier has also asked the Committee to consider an amendment which would allow the use of compulsorily obtained evidence provided under objection to the Commission in disciplinary proceedings and civil proceedings.

This was requested by the ICAC and the Joint Parliamentary Committee has previously said it was a matter which would require detailed examination and consultation. The Premier has asked the Committee to give consideration to this proposal as a priority.