



# Public Sector Ethics Act 1994

Reprinted as in force on 1 July 2010

Reprint No. 5F

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the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

# Information about this reprint

This Act is reprinted as at 1 July 2010. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Public Sector Ethics Act 1994

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# Public Sector Ethics Act 1994

[as amended by all amendments that commenced on or before 1 July 2010]

## An Act about public sector ethics and conduct

### Part 1 Preliminary

#### 1 Short title

This Act may be cited as the *Public Sector Ethics Act 1994*.

#### 2 Definitions

The dictionary in the schedule defines particular words used in this Act.

#### 3 Act binds all persons

This Act binds all persons, including the State.

### Part 2 Ethics principles for public officials

#### 4 Declaration of ethics principles

- (1) The ethics principles mentioned in subsection (2) are declared to be fundamental to good public administration.
- (2) The *ethics principles* for public officials are—

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- respect for the law and the system of government
- respect for persons
- integrity
- diligence
- economy and efficiency.

## **Part 3 Ethics obligations for public officials**

### **Division 1 Nature, purpose and application of ethics obligations**

#### **5 Nature and purpose of obligations**

- (1) In recognition of the ethics principles, ethics obligations are to apply to public officials.
- (2) The obligations mentioned in division 2 are the *ethics obligations* for public officials.
- (3) The ethics obligations are intended to provide the basis for codes of conduct for public officials and are not of themselves legally enforceable.

#### **6 Application of obligations**

The ethics obligations apply to all public officials.

### **Division 2 The obligations**

#### **7 Respect for the law and system of government**

- (1) A public official should—

- (a) uphold the laws of the State and Commonwealth; and
  - (b) carry out official public sector decisions and policies faithfully and impartially.
- (2) Subsection (1)(b) does not detract from a public official's duty to act independently of government if the official's independence is required by legislation or government policy, or is a customary feature of the official's work.

## **8 Respect for persons**

- (1) A public official should treat members of the public and other public officials—
- (a) honestly and fairly; and
  - (b) with proper regard for their rights and obligations.
- (2) A public official should act responsively in performing official duties.

## **9 Integrity**

- (1) In recognition that public office involves a public trust, a public official should seek—
- (a) to maintain and enhance public confidence in the integrity of public administration; and
  - (b) to advance the common good of the community the official serves.
- (2) Having regard to the obligation mentioned in subsection (1), a public official—
- (a) should not improperly use his or her official powers or position, or allow them to be improperly used; and
  - (b) should ensure that any conflict that may arise between the official's personal interests and official responsibilities is resolved in favour of the public interest; and

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- (c) should disclose fraud, corruption and maladministration of which the official becomes aware.
- (3) A reference to interests is a reference to interests within its ordinary meaning under the general law and the definition in the *Acts Interpretation Act 1954*, section 36 does not apply.

## **10 Diligence**

In performing his or her official duties, a public official should—

- (a) exercise proper diligence, care and attention; and
- (b) seek to achieve high standards of public administration.

## **11 Economy and efficiency**

In performing his or her official duties, a public official should ensure that public resources are not wasted, abused, or used improperly or extravagantly.

# **Part 4 Codes of conduct for public officials**

## **Division 1 Codes of conduct**

### **12 Nature and purpose of codes**

- (1) In recognition of the ethics obligations for public officials, codes of conduct are to apply to public officials in performing their official functions.
- (2) The purpose of a code of conduct is to provide standards of conduct for public officials consistent with the ethics obligations.



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### **13 Application of codes**

- (1) A code of conduct must relate to a particular public sector entity, and applies to all public officials of the entity.
- (2) However, a code of conduct may make different provision, consistent with the ethics obligations, for different types of public officials.

### **14 Contents of codes**

- (1) A code of conduct for a public sector entity may contain anything the responsible authority for the entity considers necessary or useful for achieving the purpose of a code of conduct.
- (2) In particular, a code may provide obligations public officials must comply with.
- (3) A code also may contain—
  - (a) information explaining the purpose of—
    - (i) the ethics obligations generally or a particular ethics obligation; or
    - (ii) the conduct obligations generally or a particular conduct obligation; and
  - (b) information explaining the object intended to be achieved by the application of—
    - (i) the ethics obligations generally or a particular ethics obligation; or
    - (ii) the conduct obligations generally or a particular conduct obligation; and
  - (c) guidelines about the application of an ethics or conduct obligation; and
  - (d) examples of the operation of an ethics or conduct obligation; and
  - (e) explanatory notes about an ethics or conduct obligation; and

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- (f) references to Acts applying to public officials in performing their official functions.

## **Division 2                      Preparation and approval of codes of conduct**

### **15                      Preparation of codes of conduct**

The chief executive officer of a public sector entity must ensure that a code of conduct is prepared for the entity.

### **16                      Consultations in preparation of codes**

- (1) This section applies to the preparation of a code of conduct for a public sector entity.
- (2) The public sector entity's chief executive officer must ensure that consultation about the code takes place, or reasonable steps are taken to consult about the code, with—
  - (a) the public officials to whom the code is to apply; and
  - (b) industrial organisations representing the interests of any of the officials; and
  - (c) other appropriate entities representing the interests of any of the officials.

### **17                      Approval of codes**

- (1) The responsible authority for a public sector entity may approve a code of conduct prepared by the entity's chief executive officer.
- (2) The responsible authority may approve the code of conduct only if it is accompanied by a written statement by the chief executive officer outlining—
  - (a) the nature and extent of the consultations that took place during the preparation of the code; and
  - (b) the outcome of the consultations.

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- (3) In deciding whether to approve the code of conduct, the responsible authority must have regard to the statement.

### **Division 3                      Public officials to comply with codes**

#### **18            Compliance with codes**

A public official of a public sector entity must comply with the conduct obligations stated in the entity's code of conduct that apply to the official.

## **Part 5                              Additional responsibilities of chief executive officers**

#### **19            Access to ethics principles and obligations and codes of conduct**

The chief executive officer of a public sector entity must ensure that each public official of the entity has reasonable access to a copy of the ethics principles and obligations for public officials and the conduct obligations stated in the entity's code of conduct that apply to the official.

#### **20            Inspection of codes of conduct**

- (1) The chief executive officer of a public sector entity must keep available for inspection by any person an appropriate number of copies of the entity's approved code of conduct.
- (2) In particular, the chief executive officer must permit any person—
- (a) to inspect the code of conduct without fee; and
  - (b) to take extracts from the code without fee; and

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- (c) to obtain a copy of the code, or any part of the code, on payment of the fee prescribed by regulation.
- (3) The chief executive officer also must keep available copies of the code for purchase by any person, at a price prescribed by regulation.
- (4) The copies must be available during office hours on business days at—
  - (a) the entity's head office; and
  - (b) each regional office (if any) of the entity; and
  - (c) any other places the chief executive officer considers appropriate.
- (5) To remove any doubt, it is declared that a reference in this section to a person includes a reference to a member of the public.

## **21 Education and training**

- (1) The chief executive officer of a public sector entity must ensure that public officials of the entity are given appropriate education and training about public sector ethics.
- (2) In particular, the education and training must relate to—
  - (a) the operation of this Act; and
  - (b) the application of ethics principles and obligations to the public officials; and
  - (c) the contents of the entity's approved code of conduct; and
  - (d) the rights and obligations of the officials in relation to contraventions of the approved code of conduct.

## **22 Procedures and practices of public sector entities**

The chief executive officer of a public sector entity must ensure that the administrative procedures and management practices of the entity have proper regard to—

- (a) this Act and, in particular, the ethics obligations of public officials; and
- (b) the entity's approved code of conduct.

## **23 Implementation statements**

The chief executive officer of a public sector entity must ensure that each annual report of the entity includes an implementation statement giving details of the action taken during the reporting period to comply with the following sections—

- section 15 (Preparation of codes of conduct)
- section 19 (Access to ethics principles and obligations and codes of conduct)
- section 20 (Inspection of codes of conduct)
- section 21 (Education and training)
- section 22 (Procedures and practices of public sector entities).

# **Part 6 Disciplinary action for contravention of approved codes of conduct**

## **24 Disciplinary action**

It is the intention of Parliament that any disciplinary action for a contravention of an approved code of conduct by a public official of a public sector entity should be dealt with under—

- (a) if the official is a public service officer—the *Public Service Act 2008*; or

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- (b) if the official is a local government employee—the local government legislation applying to the local government; or
- (c) if the official is not a public service officer or a local government employee but there are disciplinary processes applying to the official—the disciplinary processes; or
- (d) if there are no disciplinary processes applying to the official—the regulations.

## **Part 7                      Miscellaneous**

### **25      Regulation-making power**

The Governor in Council may make regulations under this Act.

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# Schedule Dictionary

## section 2

***agricultural college*** means the agricultural college under the *Agricultural College Act 2005*.

***approved code of conduct*** means a code of conduct approved under section 17.

***chief executive officer*** of a local government includes the town clerk of Brisbane City Council.

***chief executive officer*** of a public sector entity means—

- (a) for the Parliamentary Service—the clerk of the Parliament; or
- (b) for the administrative office of a court or tribunal—the chief executive of the department in which is administered the legislation under which the court or tribunal is established; or
- (c) for a department—the chief executive of the department; or
- (d) for a local government—the local government’s chief executive officer; or
- (e) for a university or university college—the vice-chancellor of the university or university college; or
- (f) for another public sector entity—the person prescribed by regulation or, if no person is prescribed, the person responsible to the Minister for the management of the entity.

***commission of inquiry*** means a commission of inquiry under the *Commissions of Inquiry Act 1950*, and includes an inquiry under commission mentioned in section 4(2) of that Act.

***conduct obligation*** means an obligation stated in an approved code of conduct that must be complied with by public officials.

***ethics obligations*** see section 5(2).

***ethics principles*** see section 4.

***government entity*** has the meaning given by the *Public Service Act 2008*, section 24, but does not include a department or a public service office.

***judicial officer*** includes a registrar or deputy registrar of a court or tribunal performing delegated judicial tasks.

***local government legislation*** means—

- (a) the following Acts—
  - (i) the *City of Brisbane Act 2010*;
  - (ii) the *Local Government Act 2009*; or
- (b) an Act prescribed under a regulation.

***maladministration*** means maladministration within the meaning of the *Whistleblowers Protection Act 1994*.

***public official*** means—

- (a) an officer or employee of a public sector entity; or
- (b) a constituent member of a public sector entity, whether holding office by election or selection;

but does not include a judicial officer or local government councillor.

***public sector entity*** means any of the following—

- (a) the Parliamentary Service;
- (b) the administrative office of a court or tribunal;
- (c) a department;
- (d) a local government;
- (e) a university, university college, TAFE institute, statutory TAFE institute or agricultural college;
- (f) a commission, authority, office, corporation or instrumentality established under an Act or under State or local government authorisation for a public, State or local government purpose;



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- (g) an entity, prescribed by regulation, that is assisted by public funds;
- but does not include any of the following—
- (h) a GOC;
- (ha) a corporate entity under the *Local Government Act 2009*;
- (i) the following entities within the meaning of the *Education (General Provisions) Act 2006*—
- (i) a parents and citizens association;
- (ii) a non-State school;
- (iii) an advisory committee;
- (iv) an international educational institution;
- (j) an entity prescribed by regulation.

**public service office** means an entity declared under the *Public Service Act 2008*, section 21(1), to be a public service office.

**remuneration** includes salary.

**responsible authority**, for a public sector entity, means—

- (a) for the Parliamentary Service—the Speaker; or
- (b) for the administrative office of a court or tribunal—the Minister responsible for administering the Act under which the court or tribunal is established; or
- (c) for a department—the Minister administering the department; or
- (d) for a university or university college—the council of the university or university college; or
- (e) for a local government—the local government; or
- (f) for another public sector entity established under an Act—the Minister administering the Act; or
- (g) for another public sector entity—the Minister administering the entity.

**senior executive equivalent** means an employee, other than a chief executive officer, of a government entity whose remuneration is equal to or greater than the remuneration payable to a senior officer.

**senior executive officer** means an officer employed under the *Public Service Act 2008* as a senior executive.

**senior officer** means an officer employed under the *Public Service Act 2008* as a senior officer.

**statutory office** see the *Public Service Act 2008*, section 139.

**statutory TAFE institute** means a statutory TAFE institute established under the *Vocational Education, Training and Employment Act 2000*, chapter 6A.

**TAFE institute** see the *Vocational Education, Training and Employment Act 2000*, section 191.

**tribunal** means—

- (a) QCAT or another tribunal that is constituted by a person acting judicially; or
- (b) a body or person performing a function under an Act to hear appeals by employees about dismissal from employment, disciplinary action or other unfair treatment; or
- (c) a commission of inquiry.

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## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2010. Future amendments of the Public Sector Ethics Act 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 December 1994	22 December 1994
1A	1995 Act No. 38	15 September 1995	2 August 1996
1B	1996 Act No. 37	1 December 1996	21 January 1997
1C	1997 Act No. 23	22 May 1997	6 June 1997
1D	1997 Act No. 59	8 December 1997	15 December 1997
2	1997 Act No. 59	8 December 1997	2 October 1998
2A	1999 Act No. 55	18 November 1999	16 December 1999
3	1999 Act No. 81	1 January 2000	4 February 2000
3A	2000 Act No. 23	28 September 2000	28 September 2000
3B	2001 Act No. 73	3 December 2001	7 December 2001
3C	2001 Act No. 80	6 June 2002	7 June 2002

Reprint No.	Amendments included	Effective	Notes
3D	2003 Act No. 63	1 January 2004	
3E	2004 Act No. 37	1 January 2005	
3F	2005 Act No. 28	31 May 2005	
3G	2005 Act No. 20	1 July 2005	R3G withdrawn, see R4
4	—	1 July 2005	
4A	2006 Act No. 39	30 October 2006	
4B	2007 Act No. 36	29 August 2007	
4C	2007 Act No. 53	9 November 2007	
4D	2007 Act No. 59	15 March 2008	R4D withdrawn, see R5
5	—	15 March 2008	
5A	2009 Act No. 13	1 July 2009	
5B rv	2009 Act No. 25	24 September 2009	
5C	2009 Act No. 25	2 November 2009	
5D	2009 Act No. 24	1 December 2009	
5E	2009 Act No. 52	1 January 2010	
5F	2009 Act No. 17 2010 Act No. 23	1 July 2010	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	1

## 6 List of legislation

### **Public Sector Ethics Act 1994 No. 67**

date of assent 1 December 1994

commenced on date of assent

amending legislation—

### **Parliamentary Committees Act 1995 No. 38 ss 1–2, 35 sch 1**

date of assent 15 September 1995

commenced on date of assent

### **Public Service Act 1996 No. 37 ss 1–2, 147 sch 2**

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

### **Local Government Legislation Amendment Act 1997 No. 23 s 1, pt 5**

date of assent 22 May 1997

commenced on date of assent

**Misconduct Tribunals Act 1997 No. 59 ss 1–2, 48 sch 1**

date of assent 5 November 1997

ss 1–2 commenced on date of assent

remaining provisions commenced 8 December 1997 (1997 SL No. 417)

**Statute Law (Miscellaneous Provisions) Act 1999 No. 19 ss 1–3 sch**

date of assent 30 April 1999

commenced on date of assent

**Public Sector Ethics Amendment Act 1999 No. 55 pts 1–2**

date of assent 18 November 1999

commenced on date of assent

**Education and Other Legislation Amendment Act 1999 No. 81 pts 1, 8**

date of assent 14 December 1999

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2000 (see s 2)

**Training and Employment Act 2000 No. 23 ss 1, 2(3), 293 sch 2**

date of assent 27 June 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 28 September 2000 (2000 SL No. 248)

**Ombudsman Act 2001 No. 73 ss 1–2, 96 sch 1**

date of assent 13 November 2001

ss 1–2 commenced on date of assent

remaining provisions commenced 3 December 2001 (2001 SL No. 224)

**Constitution of Queensland 2001 No. 80 ss 1–2, 94 sch 2**

date of assent 3 December 2001

ss 1–2 commenced on date of assent

remaining provisions commenced 6 June 2002 (see s 2)

**Training Reform Act 2003 No. 63 ss 1, 2(2), 60 sch**

date of assent 13 October 2003

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2004 (2003 SL No. 293)

**Local Government (Community Government Areas) Act 2004 No. 37 ss 1–2, 86 sch 1**

date of assent 27 October 2004

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2005 (2004 SL No. 266)

**Agricultural College Act 2005 No. 20 ss 1–2, 60 sch 1**

date of assent 19 May 2005

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2005 (2005 SL No. 116)

**Freedom of Information and Other Legislation Amendment Act 2005 No. 28 ss 1, 2(3)–(4), ch 2 pt 5**

date of assent 31 May 2005

commenced on date of assent (see s 2(3)–(4))

**Education (General Provisions) Act 2006 No. 39 ss 1, 2(3), 512(1) sch 1**

date of assent 11 August 2006

ss 1–2 commenced on date of assent

remaining provisions commenced 30 October 2006 (2006 SL No. 247)

**Statute Law (Miscellaneous Provisions) Act 2007 No. 36**

date of assent 29 August 2007

commenced on date of assent

**Vocational Education, Training and Employment and Other Legislation Amendment Act 2007 No. 53 ss 1, 30 sch**

date of assent 9 November 2007

commenced on date of assent

**Local Government and Other Legislation (Indigenous Regional Councils) Amendment Act 2007 No. 59 ss 1–2, 152 sch**

date of assent 22 November 2007

ss 1–2 commenced on date of assent

remaining provisions commenced 15 March 2008 (2007 SL No. 336)

**Right to Information Act 2009 No. 13 ss 1–2, 213 sch 5**

date of assent 12 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2009 (2009 SL No. 132)

**Local Government Act 2009 No. 17 ss 1, 2(4), 331 sch 1**

date of assent 12 June 2009

ss 1–2 commenced on date of assent

s 331 sch 1 (to the extent it sub def “corporatised corporation”) commenced 1 July 2010 (2010 SL No. 122) (amdt could not be given effect)

remaining provisions commenced 1 July 2010 (2010 SL No. 122)

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 11 pt 1**

date of assent 26 June 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Criminal Code and Other Legislation (Misconduct, Breaches of Discipline and Public Sector Ethics) Amendment Act 2009 No. 25 pts 1, 9, s 83 sch**

date of assent 11 August 2009

ss 1–2 commenced on date of assent

s 83 sch commenced 2 November 2009 (2009 SL No. 241)

remaining provisions commenced 24 September 2009 (2009 SL No. 203)

**Integrity Act 2009 No. 52 ss 1–2, 115 sch 1**

date of assent 3 December 2009

ss 1–2 commenced on date of assent

remaining provisions commenced 1 January 2010 (2009 SL No. 310)

**City of Brisbane Act 2010 No. 23 ss 1–2(1), 352 sch 1**

date of assent 17 June 2010

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2010 (see s 2(1))

## **7 List of annotations**

**Title** amd 1999 No. 55 s 3; 2009 No. 52 s 115 sch 1

### **Definitions**

**s 2** Note—s 2 contained definitions for this Act. Definitions are now located in the schedule (Dictionary). Annotations for definitions contained in s 2 are located in annotations for the schedule.  
amd 1999 No. 55 s 4(1)

### **Integrity**

**s 9** amd 2009 No. 52 s 115 sch 1

### **Disciplinary action**

**s 24** amd 1996 No. 37 s 147 sch 2; 2009 No. 25 s 83 sch

### **PART 7—MISCELLANEOUS**

**pt hdg** prev pt 7 hdg ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1  
pres pt 7 hdg (prev pt 8 hdg (orig pt 7 hdg)) renum 1999 No. 55 s 5; 2009 No. 52 s 115 sch 1

### **Division 1—Purpose of part**

**div hdg** om 2009 No. 52 s 115 sch 1

### **Regulation-making power**

**s 25** prev s 25 ins 1999 No. 55 s 7  
amd 2007 No. 36 s 2 sch  
om 2009 No. 52 s 115 sch 1  
pres s 25 (prev s 44 (orig s 25)) renum 1999 No. 55 s 6; 2009 No. 52 s 115 sch 1

### **Division 2—Integrity commissioner**

**div hdg** om 2009 No. 52 s 115 sch 1

### **Integrity commissioner**

**s 26** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

### **Division 3—Designated persons**

**div hdg** om 2009 No. 52 s 115 sch 1

### **Who are designated persons**

**s 27** ins 1999 No. 55 s 7  
amd 2009 No. 25 s 79  
om 2009 No. 52 s 115 sch 1



**Division 4—Functions of integrity commissioner****div hdg** om 2009 No. 52 s 115 sch 1**Functions of integrity commissioner****s 28** ins 1999 No. 55 s 7  
amd 2005 No. 28 s 72  
om 2009 No. 52 s 115 sch 1**Division 5—Advice****div hdg** om 2009 No. 52 s 115 sch 1**Request for advice by designated persons****s 29** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1**Designated persons about whom advice may be sought****s 30** ins 1999 No. 55 s 7  
amd 2009 No. 25 s 80  
om 2009 No. 52 s 115 sch 1**Process for seeking advice****s 31** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1**Issues to which integrity commissioner must or may have regard when giving advice****s 32** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1**Division 6—Confidentiality and protection****div hdg** om 2009 No. 52 s 115 sch 1**Secrecy****s 33** ins 1999 No. 55 s 7  
amd 2005 No. 28 s 73  
om 2009 No. 52 s 115 sch 1**Freedom of Information Act does not apply****s 33A** ins 2005 No. 28 s 74  
om 2009 No. 13 s 213 sch 5**Authorisation of particular disclosures—ethics or integrity issue****s 33B** ins 2005 No. 28 s 74  
om 2009 No. 52 s 115 sch 1**Authorisation of particular disclosures—conflict of interest issue****prov hdg** sub 2005 No. 28 s 75(1)  
**s 34** ins 1999 No. 55 s 7  
amd 2005 No. 28 s 75(2); 2009 No. 25 s 81  
om 2009 No. 52 s 115 sch 1**Limited protection to designated persons****s 35** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

Endnotes

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**Protection for integrity commissioner**

**s 36** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Division 7—General**

**div hdg** om 2009 No. 52 s 115 sch 1

**General provisions about integrity commissioner’s appointment**

**s 37** ins 1999 No. 55 s 7  
amd 2009 No. 25 s 83 sch  
om 2009 No. 52 s 115 sch 1

**Terms of appointment**

**s 38** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Leave of absence**

**s 39** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Resignation**

**s 40** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Termination of appointment**

**s 41** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Acting integrity commissioner**

**s 42** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**Report to Premier**

**s 43** ins 1999 No. 55 s 7  
om 2009 No. 52 s 115 sch 1

**SCHEDULE—DICTIONARY**

Note—definitions for this Act were originally located in s 2.

ins 1999 No. 55 s 8

def “**agricultural college**” reloc 1999 No. 55 s 4(2)

sub 2005 No. 20 s 60 sch 1

def “**approved code of conduct**” reloc 1999 No. 55 s 4(2)

def “**chief executive officer**” reloc 1999 No. 55 s 4(2)

def “**commission of inquiry**” reloc 1999 No. 55 s 4(2)

def “**conduct obligation**” reloc 1999 No. 55 s 4(2)

def “**conflict of interest issue**” ins 1999 No. 55 s 8

om 2009 No. 52 s 115 sch 1

def “**corporatised corporation**” ins 1997 No. 23 s 66(2)

amd 1999 No. 19 s 3 sch 1

reloc 1999 No. 55 s 4(2)

om 2009 No. 52 s 115 sch 1

sub 2009 No. 17 s 331 sch 1 (amdt could not be given effect)

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- def “**designated person**” ins 1999 No. 55 s 8  
om 2009 No. 52 s 115 sch 1
- def “**ethics obligations**” reloc 1999 No. 55 s 4(2)
- def “**ethics or integrity issue**” ins 2005 No. 28 s 76  
om 2009 No. 52 s 115 sch 1
- def “**ethics principles**” reloc 1999 No. 55 s 4(2)
- def “**government entity**” ins 1999 No. 55 s 8  
amd 2009 No. 25 s 83 sch
- def “**government member**” ins 1999 No. 55 s 8  
om 2009 No. 25 s 82(1)
- def “**information**” ins 1999 No. 55 s 8  
om 2009 No. 52 s 115 sch 1
- def “**integrity commissioner**” ins 1999 No. 55 s 8  
om 2009 No. 52 s 115 sch 1
- def “**judicial officer**” reloc 1999 No. 55 s 4(2)
- def “**Leader of the Opposition**” ins 2009 No. 25 s 82(2)  
om 2009 No. 52 s 115 sch 1
- def “**local government legislation**” reloc 1999 No. 55 s 4(2)  
amd 2004 No. 37 s 86 sch 1; 2007 No. 59 s 152 sch  
sub 2009 No. 17 s 331 sch 1  
amd 2010 No. 23 s 352 sch 1
- def “**maladministration**” reloc 1999 No. 55 s 4(2)
- def “**non-government member**” ins 2009 No. 25 s 82(2)  
om 2009 No. 52 s 115 sch 1
- def “**Parliamentary Commissioner**” reloc 1999 No. 55 s 4(2)  
om 2001 No. 73 s 96 sch 1
- def “**parliamentary committee**” ins 1999 No. 55 s 8  
om 2009 No. 52 s 115 sch 1
- def “**Parliamentary Secretary**” ins 1999 No. 55 s 8  
amd 2001 No. 80 s 94 sch 2  
om 2009 No. 52 s 115 sch 1
- def “**public official**” reloc 1999 No. 55 s 4(2)
- def “**public sector entity**” amd 1997 No. 23 s 66(1)  
reloc 1999 No. 55 s 4(2)  
amd 2000 No. 23 s 293 sch 2; 2006 No. 39 s 512(1) sch 1; 2007 No. 53 s 30  
sch; 2009 No. 52 s 115 sch 1
- def “**public service office**” ins 1999 No. 55 s 8  
amd 2009 No. 25 s 83 sch
- def “**remuneration**” ins 1999 No. 55 s 8
- def “**responsible authority**” amd 1995 No. 38 s 35 sch 1  
reloc 1999 No. 55 s 4(2)
- def “**senior executive equivalent**” ins 1999 No. 55 s 8
- def “**senior executive officer**” ins 1999 No. 55 s 8  
sub 2009 No. 25 s 83 sch
- def “**senior officer**” ins 1999 No. 55 s 8  
sub 2009 No. 25 s 83 sch
- def “**State college**” reloc 1999 No. 55 s 4(2)  
om 2000 No. 23 s 293 sch 2

Endnotes

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- def “**State educational institution**” reloc 1999 No. 55 s 4(2)  
om 1999 No. 81 s 46
- def “**statutory office**” ins 1999 No. 55 s 8  
amd 2009 No. 25 s 83 sch
- def “**statutory TAFE institute**” ins 2007 No. 53 s 30 sch
- def “**TAFE institute**” ins 2000 No. 23 s 293 sch 2  
amd 2003 No. 63 s 60 sch
- def “**tribunal**” amd 1997 No. 59 s 48 sch 1  
reloc 1999 No. 55 s 4(2)  
amd 2009 No. 24 s 1627

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