

House of Representatives
Supplementary Order Paper

Wednesday, 5 December 2001

Local Government (Elected Member Remuneration and
Trading Enterprises) Amendment Bill

Proposed amendments

Hon Sandra Lee, in Committee, to move the following amendments:

Clause 4

To omit paragraphs (eb) and (ec) from *new section 101ZZF(2)* (lines 28 to 35 on page 2).

To insert, after *new section 101ZZK* (after line 6 on page 6), the following section:

**“101ZZKA Members and officers of Higher Salaries
Commission to maintain secrecy**

“(1) This section applies to—

“(a) members of the Higher Salaries Commission; and

“(b) persons engaged or employed by the Commission in its work.

“(2) Every person to whom this section applies—

“(a) must keep secret all matters and information that come to the person’s knowledge while performing or exercising his or her functions, duties, or powers under this Act except the personal information specified in **subsection (3)**; and

“(b) must not communicate those matters or information except—

“(i) in performing or exercising those functions, duties, and powers; or

“(ii) under **subsection (3)**.

“(3) The Higher Salaries commission is required to comply with information privacy principles 6, 7, and 11 of the Privacy Act 1993 and disclose personal information as necessary.

- “(4) Every person commits an offence and is liable on summary conviction to imprisonment for a term not exceeding 3 months, or to a fine not exceeding \$1,000, or to both, who wilfully contravenes **subsection (2)**.

To omit from *new section 101ZZL* (line 8 on page 6) the words “**101ZZF, 101ZZG, and 101ZZI**”, and substitute the words “**101ZZF and 101ZZG**”.

Explanatory note

This Supplementary Order Paper amends *clause 4* of the Local Government (Elected Member Remuneration and Trading Enterprises) Amendment Bill.

The amendment to *new section 101ZZF(2)* omits the power of the Higher Salaries Commission to prescribe how an ex gratia payment of salary for loss of office may be made and the amount of that payment.

New section 101ZZKA requires members and employees of the Higher Salaries Commission to keep secret and not to communicate knowledge acquired while performing functions under the Bill except personal information about individuals. Section 9 of the Higher Salaries Commission Act 1977 requires the Commission to maintain secrecy for matters that come to its knowledge under that Act.

The substitution of words in *new section 101ZZL* achieves accurate internal cross-referencing.
