

TASMANIA

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**PUBLIC INTEREST DISCLOSURES  
REGULATIONS 2023**

**STATUTORY RULES 2023, No. 76**

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## **PUBLIC INTEREST DISCLOSURES REGULATIONS 2023**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Public Interest Disclosures Act 2002*.

Dated 20 November 2023.

**B. BAKER**  
Governor

By Her Excellency's Command,

**GUY BARNETT**  
Minister for Justice

### **1. Short title**

These regulations may be cited as the *Public Interest Disclosures Regulations 2023*.

### **2. Commencement**

These regulations take effect on 10 December 2023.

### **3. Interpretation**

In these regulations –

*Act* means the *Public Interest Disclosures Act 2002*;

*sending*, in relation to a disclosure, includes sending by electronic mail.

### **4. Prescribed procedures**

The procedures specified in regulations 5, 6, 7 and 8 are prescribed under section 7(6)(b) of the Act for the purpose of making disclosures under Part 2 of the Act.

### **5. Procedure for disclosures to Ombudsman**

- (1) An oral disclosure under the Act to the Ombudsman is to be made by telephone, or in person, in private to –
  - (a) the Ombudsman; or
  - (b) a person employed in the office of the Ombudsman.
- (2) A written disclosure under the Act to the Ombudsman is to be made by –
  - (a) addressing the disclosure to the Ombudsman; and
  - (b) sending or delivering the disclosure to, or leaving the disclosure at, the office of the Ombudsman.

**6. Procedure for disclosures to President of Legislative Council or Speaker of House of Assembly**

- (1) An oral disclosure under the Act to the President of the Legislative Council or to the Speaker of the House of Assembly is to be made by telephone, or in person, in private to the President or the Speaker, as the case requires.
- (2) A written disclosure under the Act to the President of the Legislative Council or the Speaker of the House of Assembly is to be made by –
  - (a) addressing the disclosure to the President or the Speaker, as the case requires; and
  - (b) sending or delivering the disclosure to, or leaving the disclosure at, the office of the President or the Speaker, as the case requires.

**7. Procedure for disclosures to Commissioner of Police**

- (1) An oral disclosure under the Act made to the Commissioner of Police is to be made by telephone, or in person, in private to the Commissioner of Police.
- (2) A written disclosure under the Act to the Commissioner of Police is to be made by –
  - (a) addressing the disclosure to the Commissioner of Police; and

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- (b) sending or delivering the disclosure to, or leaving the disclosure at, the office of the Commissioner of Police.

**8. Procedure for disclosures to public bodies**

- (1) An oral disclosure under the Act to a public body is to be made by telephone, or in person, in private to a member, officer or employee of the public body.
- (2) A written disclosure under the Act to a public body is to be made by –
  - (a) addressing the disclosure to the public body; and
  - (b) sending or delivering the disclosure to, or leaving the disclosure at, the office of the public body.

**9. Prescribed offices for purpose of section 41 of Act**

The following offices are prescribed offices for the purpose of section 41 of the Act:

- (a) the office of the regulator referred to in Part 1 of Schedule 2 to the *Work Health and Safety Act 2012*;
- (b) the office of Director, Environment Protection Authority referred to in section 18 of the *Environmental Management and Pollution Control Act 1994*;

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- (c) the office of the Custodial Inspector referred to in section 5 of the *Custodial Inspector Act 2016*;
- (d) the office of the Health Complaints Commissioner referred to in section 5 of the *Health Complaints Act 1995*.

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 29 November 2023.

These regulations are administered in the Department of Justice.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

The regulations –

- (a) prescribe, for the purposes of the *Public Interest Disclosures Act 2002* –
  - (i) the procedure for making disclosures to certain offices and public bodies under that Act; and
  - (ii) the offices to which the Ombudsman may refer certain matters under section 41 of that Act; and
- (b) are made consequent on the repeal of the *Public Interest Disclosures Regulations 2013* under section 11 of the *Subordinate Legislation Act 1992*.