



NORTHERN TERRITORY OF AUSTRALIA

No. 51 of 1994

AN ACT

to amend the *Territory Insurance Office Act*

[Assented to 20 September 1994]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Territory Insurance Office Amendment Act 1994*.

2. PRINCIPAL ACT

The *Territory Insurance Office Act* is in this Act referred to as the Principal Act.

3. REPEAL AND SUBSTITUTION

Section 33 of the Principal Act is repealed and the following substituted:

"33. PROVISION OF INFORMATION AND RECORDS TO MINISTER

"(1) The Board shall, at the request in writing of the Minister, provide the Minister with such reports, and such written information in the possession or control of the Board, and in such manner and form, as the Minister requires.

"(2) Where a report or information in the possession or control of the Board is provided under subsection (1) to the Minister, the Minister may make, retain and deal with copies of the report or information as the Minister thinks fit.

Territory Insurance Office Amendment

"(3) Where the Board considers that -

- (a) a report or information provided under subsection (1) contains; or
- (b) a class of reports or of information which may be provided under subsection (1) is likely to contain,

matter that for any reason should be treated as confidential, it shall advise the Minister of, and give its reasons for, that opinion and the Minister may, subject to subsection (4), act on that advice as the Minister thinks fit.

"(4) Where the Minister is satisfied on the basis of the Board's advice under subsection (3) that the Board owes a duty of confidence in respect of a matter, the Minister, the Chief Executive Officer, a member or other person employed in the business of the Office or of the Minister, shall not disclose a report or written information relating to the matter, knowing it to be a matter in respect of which the Board owes a duty of confidence, except -

- (a) in the case of the Minister or other person employed in the business of the Minister - in the proper performance of the Minister's ministerial functions and duties; or
- (b) in any other case - in the proper performance of the functions and duties of the person employed in the business of the Office.

"(5) A member, the Chief Executive Officer or other person employed in the business of the Office or of the Minister does not commit a breach of duty by reporting a matter or disclosing a report or written information relating to the affairs of the Board or of the Office to the Minister.".
