

Protected Disclosure Act 2012

The former *Whistleblowers Protection Act 2001* ('Whistleblowers Act') was repealed and replaced with the *Protected Disclosure Act 2012* ('PD Act'), which came into force on 10 February 2013. As the change of legislation occurred midway through the 2012-13 financial year, this disclosure complies with the requirements of the PD Act and section 104 of the Whistleblowers Act, for each of the relevant time periods.

Compliance with the *Protected Disclosures Act 2012*

The PD Act was part of a package of integrity reforms introduced by the Victorian Government, which also established the Independent Broad-based Anti-corruption Commission (IBAC).

The PD Act enables people to make disclosures about improper conduct within the public sector without fear of reprisal. It aims to ensure openness and accountability by encouraging people to make disclosures and protecting them when they do.

What is a 'protected disclosure'?

A protected disclosure is a complaint of corrupt or improper conduct by a public officer or a public body.

Falls Creek Alpine Resort Management Board is a "public body" for the purposes of the Act.

What is 'improper or corrupt conduct'?

Improper or corrupt conduct involves substantial:

- mismanagement of public resources; or
- risk to public health or safety or the environment; or
- corruption.

The conduct must be criminal in nature or a matter for which an officer could be dismissed.

How do I make a 'Protected Disclosure'?

You can make a protected disclosure about Falls Creek Alpine Resort Management Board or its board members, officers or employees by contacting DEPI or IBAC on the contact details provided below.

Please note that Falls Creek Alpine Resort Management Board is not able to receive protected disclosures.

How can I access Falls Creek Alpine Resort Management Board's procedures for the protection of persons from detrimental action?

Falls Creek Alpine Resort Management Board has established procedures for the protection of persons from detrimental action in reprisal for making a protected disclosure about Falls Creek Alpine Resort Management Board or its employees. You can access Falls Creek Alpine Resort Management Board's procedures on its website at: [Link to procedures on Agency's website].

Contacts

Department of Environment and Primary Industries (DEPI)

Jennifer Berensen, Senior Advisor, Privacy & Ombudsman

Department of Environment and Primary Industries

Address: PO Box 500, East Melbourne Vic 3002

Ph: 03 9637 8697

Website: www.depi.vic.gov.au

Independent Broad-Based Anti-Corruption Commission (IBAC) Victoria

Address: Level 1, North Tower, 459 Collins Street, Melbourne Victoria 3001.

Mail: IBAC, GPO Box 24234, Melbourne Victoria 3000

Internet: www.ibac.vic.gov.au

Phone: 1300 735 135

Email: see the website above for the secure email disclosure process, which also provides for anonymous disclosures.

Disclosures under the *Whistleblowers Protection Act 2001 (repealed)*

The archived procedures established under the *Whistleblowers Protection Act 2001* are available upon request.

The disclosures detailed in the table below relate to the period commencing on 1 November 2012 and ending on 9 February 2013.

	<i>2012-13 number</i>	<i>2011-12 number</i>
The number and types of disclosures made to Falls Creek Alpine Resort Management Board during the year (1 July 2012 to 9 February 2013):		
Public interest disclosures	0	0
Protected disclosures	0	0
The number of disclosures referred during the year by the public body to the Ombudsman for determination as to whether they are public interest disclosures	0	0
The number and types of disclosed matters referred to the public body by the Ombudsman for investigation	0	0
The number and types of disclosures referred by the public body to the Ombudsman for investigation	0	0
The number and types of investigations taken over from the public body by the Ombudsman	0	0
The number of requests made by a whistleblower to the Ombudsman to take over an investigation by the public body	0	0
The number and types of disclosed matters that the public body has declined to investigate	0	0
The number and types of disclosed matters that were substantiated upon investigation and the action taken on completion of the investigation	0	0
Any recommendations made by the Ombudsman that relate to the public body: Recommendation regarding file security and management	0	0