

Freedom of Information Annual Report

on the Administration of the *Freedom of Information Act 1991*

1 July 2007 – 30 June 2008

*Presented to both Houses of Parliament pursuant to section
56 of the Freedom of Information Act 1991*



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Annual Report on the Administration of the *Freedom of Information Act 1991* for the year ended 30 June 2008

In accordance with the requirements of section 56 of the *Freedom of Information Act 1991* I have pleasure in presenting the Annual Report on the administration of the *Freedom of Information Act 1991* for the year ending 30 June 2008.

Lisa Hutton
SECRETARY

February 2009

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CHAPTER ONE: OPERATION OF THE ACT

Object of the Act

The *Freedom of Information Act 1991* (the Act) commenced on 1 January 1993. The Act gives members of the public the right to be provided with information held by government bodies unless the information is exempted or exempt information. It also gives individuals the right to have any inaccurate, incomplete, out-of-date or misleading information about them held by government bodies amended.

The object of the Act is set out in section 3(1), which states:

(1) The object of this Act is to improve democratic government in Tasmania by increasing the accountability of the executive to the people of Tasmania and by increasing the ability of the people of Tasmania to participate in their governance.

The object of the Act is to be given effect by making information available and by the correction of personal information which is incorrect or inaccurate. Further the powers under the Act are to be exercised to facilitate prompt and inexpensive access to information. Section 3(2), (3) & (4) emphasise the approach to be taken.

(2) This object is to be pursued by giving members of the public the right to obtain information contained in the records of agencies and Ministers limited only by necessary exceptions and exemptions.

(3) The object is also to be pursued by giving each person a right to have amended any inaccurate, incomplete, out of date or misleading information relating to that person contained in the records of an agency or of a Minister.

(4) It is the intention of Parliament that this Act be interpreted so as to further the object set out in subsection (1) and that discretions conferred by this Act be exercised so as to facilitate and promote, promptly and at the lowest reasonable cost, the provision of the maximum amount of official information.

Application of the Act to Departments, councils and authorities

The Fol Act applies to “agencies” which, by the definition in section 5, include:

- Agencies under the *State Service Act 2000* (i.e. government departments);
- the Police Service;
- Local Government Councils; and
- prescribed authorities.

For the purposes of the Act “prescribed authorities” include bodies corporate established for a public purpose by or in accordance with an Act (for instance professional registration boards); unincorporated bodies created by the Governor or a Minister; statutory office holders and the Law Society of Tasmania. If a particular body does not fall into one of those categories the Act also provides for other bodies or persons to be declared by regulation to be prescribed authorities for the purposes of the Act (no bodies or persons have been declared under this provision).

All of the 10 State Government Departments as well as the Tasmanian Audit Office, all 29 Local Government Councils, and a total of 59 prescribed authorities have provided statistical returns for 2007/2008. These organisations are listed in Appendices 1 to 3 of this Report - most also appear in several of the tables in this Report.

In 2007/2008, all Government Departments reported receiving Fol requests, as did 25 of the 29 Councils. Only 15 of the 59 prescribed authorities that provided returns of data for this report received applications.

Interaction with *Personal Information Protection Act 2004*

The *Personal Information Protection Act 2004*, which came into effect in September 2005, provides a number of safeguards in relation to the collection, use or release of personal information collected or held by Government Departments, statutory authorities and councils. It also deals with access to personal information by the person about whom the information is collected. While providing another avenue for individuals to gain access to their personal information held by Departments, councils and authorities the *Personal Information Protection Act 2004* uses the processes under the FOL Act to enforce rights of access and correction.

While the Tables contained in this Report do not detail the breakdown of the type of information sought under FOL indications from the bodies providing the details which go to make up this Report are that some 17.3% of FOL applications relate to personal information of the person who is making the application. It can be expected that as greater reliance is placed on the provisions of the *Personal Information Protection Act* the number of applications seeking personal information will decline. Only a very small number of applications are made to correct information (see Table I).

Both the FOL Act and the PIP Act provide safeguards for the privacy of personal information held by Departments, authorities and councils from being released to third parties. The *Personal Information Protection Act 2004* also creates a right to make a complaint to the Ombudsman if there has been an alleged contravention by a personal information custodian of a personal information protection principle.

Decision Makers

Decisions in respect of requests under the Act for the provision of information or for amendment of information are made by authorised officers in the relevant Agency, council or body.

Under sections 21 and 42 of the Act, the responsible Minister and principal officer of each agency are automatically designated as authorised decision makers. In addition, agencies have gazetted one or more officers or holders of particular offices as authorised officers for the purposes of sections 21(c) and 42(c) of the Act. In many cases the authorised officers deal with applications in relation to information held in particular parts of the agency in question.

Annual Report

The Act requires an Annual Report on the administration of the FOL Act to be prepared and tabled in Parliament. The matters set out in section 56 that are to be included in the report are:

- a) the number of requests made under this Act and the agencies or Ministers that received the requests;
- b) the number of requests refused and the provisions of this Act under which they were refused;
- c) the number of applications for review made to the Ombudsman under section 48 of the Act and the results of those applications; and
- d) the total amount of charges collected in respect of applications made under this Act.

Since the Act's commencement, in addition to the above matters, the Annual Reports have also included additional statistical and other information on the operation of the Act.

CHAPTER TWO: REQUESTS RECEIVED AND DECIDED

Key Statistics and Trends

There has been an increase of 3.8% in the overall number of applications received by agencies this year to 1856. A high proportion of the requests were decided during the period. The number of requests “formally” decided in 2007/2008 was 76.2% of the total received, compared to 70.6% in 2006/2007 and 78.3% the year before.

Instead of all outcomes being bundled together, requests that were responded to by means other than under the Fol Act, for instance under Departmental or Council policies, have been separated from those formally decided under the Act. An example of this can be found in the statistics of the Department of Justice where a large proportion of the requests made to Workplace Standards are dealt with under Departmental policy rather than determined under the Fol Act. With the combination of ‘requests resolved’ and ‘requests decided’ a number of requests equivalent to 95.3% of the total number of requests received during the year were finalised during the year.

This does raise some issues as to Fol statistics generally as all agencies receive requests for information and deal with them without necessarily having regard to the Fol Act. These requests are not counted into the annual Fol statistics of the agency as applications. Many agencies have administrative processes and procedures, particularly enabling access to personal information (such as employment related records and health records), but also other information which obviate the need to make a formal Fol request.

The “Fol requests” as recorded in agencies’ Annual Reports and this Annual Report are therefore by no means the total of the requests made and dealt with during the reporting period. Generally, requests made without reference to the Act will result in all material sought being provided, but if anything is to be withheld it will usually be because one of the Fol exemptions needs to be applied (third party privacy being the main one) and a review of the decision can be sought if the applicant wished to obtain the unreleased information.

Table 1
Key Statistics – 2004/2005 to 2007/2008

Total Number of:	2004/2005	2005/2006	2006/2007	2007/2008
Requests received (applications under Fol)	1746	1766	1786	1856
Requests resolved outside the Fol Act	-	316	349	356
Requests decided (as applications under Fol)	1576	1383	1262	1413
Requests that took less than 30 days	1317	1117	1025	1158
Requests that took more than 30 days	267	299	280	255
Requests granted in full and/or part (outcomes)	1019	850	850	970
Requests where information was denied	305	294	110	137
Number of exemptions used	768	699	1074	1084
Main reasons for refusal by agencies	ss 29 & 30	ss 27 & 30	ss 9 & 30	ss 9 & 30
Requests for amendment of personal information	19	6	13	0
Requests for review finalised by the Ombudsman	157	57	75	63

Note: “Requests decided” include some decisions on applications received in the previous reporting period but the “Requests received” were those submitted during the reporting period.

S 9 – information publicly available or for sale

S30 – information affecting personal privacy (of a third party)

The number of external reviews lodged with the Ombudsman fell from 75 in 2006/07 to 63 in 2007/08. Of the 63 reviews, 20 were decided formally and 43 by other means.

Table 2 below shows, as would be expected, that by far the majority of the 1856 Fol applications to all agencies made during 2006/2007 were made to Government Departments. Departments accounted for almost the same proportion of the total as they did in 2006/2007 – 84.6%. Prescribed Authorities also

represented the same proportion of applications 5.7% as the previous year. 9.7% of requests went to Councils.

Table 2
Requests Received and Decided - Summary - 2005/2006 to 2007/2008

Agency	Requests Received 2005/06	Requests Decided 2005/06	Requests resolved outside FoI Act 2005/06	Requests Received 2006/07	Requests Decided 2006/07	Requests resolved outside FoI Act 2006/07	Requests Received 2007/08	Requests Decided 2007/08	Requests resolved outside FoI Act 2007/08
Government Departments	1506	1143	308	1523	1032	340	1569	1154	345
Prescribed authorities	114	108	1	102	85	1	107	97	4
Councils	146	132	7	161	145	8	180	162	7
TOTALS	1766	1383	316	1786	1262	349	1856	1413	356

Government Departments

Of the **1569** requests received by Departments in 2007/2008, 79.7% were made to three Departments - Police and Emergency Management received 628 (40%) Justice received 361 (23%), and Health and Human Services received 263 (16.7%).

The Departments of Economic Development and of Treasury and Finance received the lowest number of FoI applications with only 19 and 28 requests respectively.

Table 3
Requests Received and Decided - Government Departments - 2005/2006 to 2007/2008

Department ¹	Requests Received 2005/06	Requests Decided 2005/06	Requests resolved outside FoI Act 2005/06	Requests Received 2006/07	Requests Decided 2006/07	Requests resolved outside FoI Act 2006/07	Requests Received 2007/08	Requests Decided 2007/08	Requests resolved outside FoI Act 2007/08
Economic Development And Tourism (a)	11	19	Nil	7	6	Nil	19	17	1
Education	38	29	Nil	44	34	Nil	48	40	1
Environment, Parks, Heritage and the Arts (a)	15	16	Nil	35	28	Nil	28	25	Nil
Health & Human Services	273	260	Nil	241	209	4	263	258	Nil
Infrastructure, Energy & Resources	69	46	6	54	41	1	72	62	8
Justice	383	72	301	443	95	335	361	89	265(b)
Police & Emergency	606	595	Nil	598	528	Nil	628	546	68

¹ The names of Departments in the Tables represent their titles at 30 June 2008 but in relation to the previous years the figures are those from the Department which most closely reflected the roles of the current Departments. Because of the reorganisation of departments the annual statistics are not fully comparable from year to year.

Department ¹	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act
Management									
Premier & Cabinet	24	16	Nil	29	25	Nil	40	25	1
Primary Industries and Water	64	79	1	57	54	Nil	81	68	Nil
Treasury & Finance	21	11	Nil	14	11	Nil	29	24	1
Tasmanian Audit Office	2	1	Nil	1	1	Nil	Nil	Nil	Nil
TOTALS	1506	1143	308	1523	1032	340	1569	1154	345

Notes:

(a) From 12th February 2008, the Department of Economic Development became the Department of Economic Development and Tourism, and the Department of Tourism, Arts and the Environment became the Department of Environment, Parks, Heritage and the Arts.

(b) Most of the requests made to Workplace Standards within the Department of Justice are dealt with under Departmental policy rather than determined under the Fol Act.

Prescribed Authorities

As Table 4 shows, most Authorities receive very few requests, with only Aurora Energy at 13, Forestry Tasmania at 16, Forest Practices Authority at 19, Hydro Electric Corporation at 10, Motor Accidents Insurance Board at 15 and the Tasmanian Fire Service at 12 reaching double figures in the last twelve months. The Anti-Discrimination Commissioner received no requests this year after experiencing an unusually large number in 2005/2006.

Table 4

Requests Received and Decided - Prescribed authorities – 2005/2006 to 2007/2008

Prescribed authority (a)	Request Received	Request Decided	Request resolved outside Fol Act	Request Received	Request Decided	Request resolved outside Fol Act	Request Received	Request Decided	Request resolved outside Fol Act
	2005/06	2005/06	2005/06	2006/07	2006/07	2006/07	2007/08	2007/08	2007/08
Aurora Energy	1	1	Nil	3	3	Nil	13	12	Nil
Esk Water Authority	Nil	Nil	Nil	1	Nil	1	Nil	Nil	Nil
Forestry Tasmania	20	18	Nil	26	25	Nil	16	16	Nil
Forest Practices Authority	-	-	-	19	13	Nil	19	18	Nil
Government Prices Oversight Comm.	Nil	Nil	Nil	1	1	Nil	Nil	Nil	Nil
Hobart Water	1	1	Nil	1	1	Nil	Nil	Nil	Nil
Hydro Electric Corporation Tasmania	2	1	Nil	6	6	Nil	10	9	1
Law Society of Tasmania	4	4	Nil	1	1	Nil	1	1	Nil
Legal Aid Commission	Nil	Nil	Nil	2	2	Nil	3	3	Nil
Marine & Safety Tasmania	2	1	Nil	1	1	Nil	2	Nil	2
Medical Council of Tasmania	Nil	Nil	Nil	2	Nil	Nil	Nil	Nil	Nil
Metro Tasmania	1	1	Nil	1	1	Nil	Nil	Nil	Nil

Prescribed authority (a)	Request Received	Request Decided	Request resolved outside Fol Act	Request Received	Request Decided	Request resolved outside Fol Act	Request Received	Request Decided	Request resolved outside Fol Act
	2005/06	2005/06	2005/06	2006/07	2006/07	2006/07	2007/08	2007/08	2007/08
Motor Accidents Insurance Board	27	26	Nil	11	11	Nil	15	14	
Office of the Anti-Discrimination Commissioner	35	35	Nil	3	2	Nil	Nil	Nil	Nil
Private Forests Tasmania	4	5	Nil	2	1	Nil	1	1	Nil
Psychologists Registration Board	Nil	Nil	Nil	1	1	Nil	3	3	Nil
The Public Trustee	1	1	Nil	1	1	Nil	Nil	Nil	Nil
Retirement Benefits Fund	2	2	Nil	Nil	Nil	Nil	2	2	
TAFE Tasmania	1	1	Nil	2	2	Nil	1	1	Nil
Tasmania Fire Service	7	6	Nil	6	5	Nil	12	8	Nil
TOTE Tasmania	2	Nil	Nil	4	3	Nil	3	3	Nil
Transend Networks P/L	1	1	1	Nil	Nil	Nil	Nil	Nil	Nil
University of Tasmania	3	4	Nil	8	5	Nil	6	6	1
TOTALS	114	108	1	102	85	1	107	4	97

Note

Only those prescribed authorities which have recorded requests in any of the years covered are listed.

Councils

Councils showed an 11.8% increase in Fol applications this year, compared with a 10.3% increase in the previous year. Over the three-year period covered in this table there has been a 23.2% increase in applications to councils under Fol but figures for individual councils fluctuate markedly with no real pattern.

Applications to five urban councils – Clarence, Hobart, Glenorchy, Kingborough and Launceston – represented 51.6% of all requests received by councils in 2007/2008. This was comparable to the proportion they received in the previous year.

Apart from the five city councils mentioned above, the number of requests received by councils remains low, with only eight other councils receiving 5 or more requests. Four councils received no requests in the reporting year.

Table 5

Requests Received and Decided - Councils - 2005/2006 to 2007/2008

Council	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act
	2005/06	2005/06	2005/06	2006/07	2006/07	2006/07	2007/08	2007/08	2007/08
Break O'Day Council	7	5	2	7	7	Nil	16	12	3
Brighton Council	Nil	Nil	Nil	2	2	Nil	4	3	Nil
Burnie City Council	2	2	Nil	3	3	Nil	3	3	Nil
Central Coast Council	8	8	Nil	3	Nil	3	7	3	2
Central Highlands	1	1	Nil	2	2	Nil	Nil	Nil	Nil

Council	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act	Requests Received	Requests Decided	Requests resolved outside Fol Act
	2005/06	2005/06	2005/06	2006/07	2006/07	2006/07	2007/08	2007/08	2007/08
Council									
Circular Head Council	3	3	Nil	Nil	Nil	Nil	1	1	Nil
Clarence City Council	16	14	Nil	12	10	Nil	9	8	1
Derwent Valley Council	2	2	Nil	Nil	Nil	Nil	5	5	Nil
Devonport City Council	1	1	Nil	4	Nil	4	6	6	Nil
Dorset Council	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	Nil
George Town Council	2	2	Nil	6	5	Nil	4	4	Nil
Glamorgan/Spring Bay Council	4	4	2	6	6	Nil	6	6	Nil
Glenorchy City Council	10	10	Nil	13	12	1	17	16	1
Hobart City Council	41	37	Nil	45	43	Nil	37	36	Nil
Huon Valley Council	4	4	Nil	6	6	Nil	8	7	Nil
Kentish Council	1	0	1	1	Nil	1	5	5	Nil
Kingborough Council	4	4	Nil	11	11	Nil	17	17	Nil
Latrobe Council	Nil	Nil	Nil	2	2	Nil	1	1	Nil
Launceston City Council	10	10	Nil	11	11	Nil	13	11	Nil
Meander Valley Council	4	3	Nil	6	6	Nil	1	1	Nil
Northern Midlands Council	2	2	Nil	4	4	Nil	2	2	Nil
Sorell Council	8	8	Nil	7	6	Nil	3	3	Nil
Southern Midlands Council	2	2	Nil	1	1	Nil	2	1	Nil
Tasman Council	3	2	2	3	2	Nil	8	8	Nil
Waratah-Wynyard Council	6	6	Nil	2	Nil	2	3	3	Nil
West Coast Council	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	Nil
West Tamar Council	4	4	Nil	4	4	Nil	Nil	Nil	Nil
TOTALS	146	132	7	161	145	8	180	162	7

CHAPTER THREE: OUTCOMES OF REQUESTS

Determinations made on Requests for Information

Applications for information may result in access to the information requested being provided in full, provided in part or refused. In addition, it may be found that the agency did not actually hold the information requested which could in some cases result in the request being transferred to another Department.

Of the requests decided by all agencies, 37.8% of applicants were granted access to the whole of the information they sought; 30.8% were given part access, 9.6% were denied access and 4.3% were not provided with access for other reasons, including withdrawal of the request or transfer to another agency.

Because determinations in which information may have had to be deleted from the material released (because it was not relevant to the request or because it may have breached another person's privacy) are usually categorised as being "part access" the number of applicants who received all of the information they actually sought may be higher than the above 37.8%. The limited number of reviews sought may be an indicator that the applicants were content with the amount or range of information with which they were provided.

Tables 6 – 9 detail the outcome of requests formally dealt with under the FoI Act but do not include those requests which the department, authority or council dealt with under other procedures and policies.

Table 6
Outcome of Requests - Summary – 2007/2008

Agency	Total Determined Under FoI Act	Full Access	Part Access	Denied	Transferred	Withdrawn
Government Departments	1154 <i>1032</i>	374 <i>334</i>	384 <i>339</i>	110 <i>76</i>	33 <i>30</i>	16 <i>34</i>
Prescribed authorities	97 <i>85</i>	53 <i>31</i>	24 <i>30</i>	11 <i>20</i>	1 <i>5</i>	4 <i>3</i>
Councils	162 <i>145</i>	108 <i>98</i>	27 <i>19</i>	16 <i>14</i>	2 <i>2</i>	5 <i>6</i>
TOTALS	1413 <i>1262</i>	535 <i>463</i>	435 <i>388</i>	137 <i>110</i>	36 <i>37</i>	25 <i>43</i>

Note:

An FoI request may be for more than one item of information, and one request may be refused wholly or partly on several different bases. Last year's results appear in italics for comparison purposes.

Government Departments

Of the 1154 formal determinations by Government Departments in respect of applications (**Table 7**):

- 32.4% were granted full access;
- 33.3% partial access;
- 9.5% were denied;
- 4.2% were refused for other reasons (including transferred and withdrawn).

The proportions have changed little from the previous year but in any event because of the diversity of applications it is not possible to attribute year-to-year differences to any particular factor.

Table 7
Outcome of Requests - Government Departments – 2007/2008

Agency	Total Determined under Fol Act	Full Access	Part Access	Denied	Transferred	Withdrawn
Economic Development and Tourism	17 6	8 1	6 5	Nil Nil	Nil 1	1 Nil
Education	40 34	25 26	14 7	1 1	1 Nil	Nil 3
Environment, Parks, Heritage and the Arts	25 28	6 6	15 14	1 1	1 3	1 4
Health & Human Services	258 209	116 91	64 62	48 17	5 1	Nil 6
Infrastructure, Energy & Resources	62 41	33 21	16 10	7 5	3 5	1 5
Justice	89 95	40 43	17 16	10 12	7 10	1 3
Police & Emergency Management	546 528	97 115	207 173	38 34	5 6	9 5
Premier & Cabinet	25 25	6 11	12 10	1 Nil	3 2	1 Nil
Primary Industries, and Water	68 54	35 17	27 33	Nil 4	3 2	2 8
Treasury & Finance	24 11	8 3	6 8	4 2	5 Nil	Nil Nil
Tasmanian Audit Office	Nil 1	Nil Nil	Nil 1	Nil Nil	Nil Nil	Nil Nil
TOTALS	1154 1032	374 334	384 339	110 76	33 30	16 34

Prescribed Authorities

Of the 97 determinations recorded by Prescribed Authorities in **Table 8**:

- 54.6% of applicants were given full access;
- 24.7 % were given partial access;
- 11.3% were denied;
- 5.2% of applications were refused for other reasons (including transferred and withdrawn).

As with Government Departments no particular factor could be attributed to the changes in the proportions and the small totals themselves make even small changes in numbers appear more significant proportionately.

Table 8
Outcome of Requests - Prescribed authorities - 2007/2008

Prescribed Authority	Total Determined	Full Access	Part Access	Denied	Transferred	Withdrawn
Aurora Energy	12 3	4 1	2 2	3 Nil	Nil 1	1 Nil
Forestry Tasmania	16 25	6 8	6 3	3 14	Nil 1	Nil Nil
Forest Practices Authority	19 13	7 4	8 7	Nil Nil	1 3	Nil Nil
Government Pricing and Oversight Commission	Nil 1	Nil 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Hobart Water	Nil 1	Nil Nil	Nil 1	Nil Nil	Nil Nil	Nil Nil

Prescribed Authority	Total Determined	Full Access	Part Access	Denied	Transferred	Withdrawn
Hydro Electric Corporation Tasmania	9 6	6 Nil	3 6	Nil Nil	Nil Nil	Nil Nil
Law Society of Tasmania	1 1	Nil Nil	1 1	Nil Nil	Nil Nil	Nil Nil
Legal Aid Commission	3 2	1 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Marine & Safety Tasmania	Nil 1	Nil Nil	Nil Nil	Nil 1	Nil Nil	Nil Nil
Medical Council of Tasmania	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil 2
Metro Tasmania	Nil 1	Nil 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Motor Accidents Insurance Board	14 11	12 6	Nil 1	1 4	Nil Nil	1 Nil
Office of the Anti- Discrimination Commissioner	Nil 2	Nil 1	Nil Nil	Nil 1	Nil Nil	Nil Nil
Private Forests Tasmania	1 1	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Psychologists Registration Board	3 1	2 1	1 Nil	Nil Nil	Nil Nil	Nil Nil
The Public Trustee	Nil 1	Nil Nil	Nil 1	Nil Nil	Nil Nil	Nil Nil
Retirement Benefits Fund Board	2 Nil	1 Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil
TAFE Tasmania	1 2	1 2	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Tasmania Fire Service	8 5	7 4	1 1	2 Nil	Nil Nil	1 Nil
TOTE Tasmania	3 3	2 1	Nil 2	Nil Nil	Nil Nil	Nil 1
University of Tasmania	6 5	3 2	2 2	1 1	Nil Nil	1 Nil
TOTALS	97 85	53 31	24 30	11 20	1 5	4 3

Note:

Only authorities that decided requests in 2006/2007 or 2007/2008 financial years are included in this Table.

Councils

Of the 162 determinations recorded by Local Government Councils in the last year (**Table 9**):

- 66.6% of applicants were granted full access;
- 16.6% were granted partial access;
- 9.8% were denied information;
- 4.3% of applications were refused for other reasons (including transferred and withdrawn).

Table 9
Outcome of Requests - Councils – 2007/2008

Council	Total Determined	Full Access	Part Access	Denied	Transferred	Withdrawn
Break O'Day Council	12 7	5 7	2 Nil	3 Nil	1 Nil	Nil Nil
Brighton Council	3 2	2 1	1 Nil	Nil Nil	Nil Nil	1 Nil
Burnie City Council	3 3	3 Nil	Nil Nil	Nil Nil	Nil Nil	Nil 1
Central Coast Council	3 1	1 1	1 Nil	1 Nil	Nil 1	Nil Nil
Central Highlands Council	Nil 2	Nil 2	Nil Nil	Nil Nil	Nil Nil	1 Nil
Circular Head Council	1 Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil
Clarence City Council	8 10	3 6	2 Nil	3 Nil	Nil Nil	Nil 1
Derwent Valley Council	5 Nil	3 Nil	2 Nil	Nil Nil	Nil Nil	Nil Nil
Devonport City Council	6 4	6 3	Nil Nil	Nil 1	Nil Nil	Nil Nil
George Town Council	4 5	2 3	1 2	1 Nil	Nil 1	Nil Nil
Glamorgan/Spring Bay Council	6 6	3 5	2 Nil	1 Nil	Nil Nil	Nil Nil
Glenorchy City Council	16 12	9 9	2 2	1 Nil	Nil Nil	Nil Nil
Hobart City Council	36 43	30 32	1 Nil	3 Nil	Nil Nil	1 2
Huon Valley Council	7 6	5 Nil	Nil 1	1 5	Nil Nil	Nil Nil
Kentish Council	5 Nil	5 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Kingborough Council	17 11	15 9	1 Nil	Nil Nil	Nil Nil	Nil Nil
Latrobe Council	1 2	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Launceston City Council	11 11	7 5	4 4	Nil Nil	Nil Nil	2 Nil
Meander Valley Council	1 6	1 4	Nil Nil	Nil Nil	Nil 2	Nil Nil
Northern Midlands Council	2 4	1 2	1 Nil	Nil 1	Nil 1	Nil Nil
Sorell Council	3 6	2 3	1 Nil	Nil Nil	Nil 1	Nil 1
Southern Midlands Council	1 1	Nil Nil	1 Nil	Nil 1	1 Nil	Nil Nil
Tasman Council	8 2	2 2	4 Nil	1 Nil	Nil Nil	Nil 1
Waratah/Wynyard Council	3 Nil	2 1	Nil Nil	1 Nil	Nil Nil	Nil Nil
West Tamar Council	Nil 4	Nil 2	Nil Nil	Nil Nil	Nil Nil	Nil Nil
TOTALS	162 145	108 97	27 19	16 14	2 2	5 6

Note:

- a) Requests transferred to another agency and those withdrawn by an applicant are not included in the Table.
b) Only councils that decided requests in the 2006/07 or the 2007/08 financial years are included in this Table.

CHAPTER FOUR: REASONS FOR REFUSAL

The provision of information may be refused in accordance with the Act if the information is exempt, excepted from the operation of the Act or falls into a number of other categories. In some cases this will not mean that the person will not be able to access the information but access may be gained by other means – such as referral to Internet websites or to publications where the information is publicly available.

Use of exceptions and other refusals

The “exceptions” and grounds for refusal set out in Part 2 of the Act are:

Section 8	Information, other than personal information, incorporated in records more than five years before the commencement of the Act (i.e. prior to 1.1.88);
Section 9	Information already otherwise available (for example publicly available for inspection in accordance with another Act or available to be purchased);
Section 10	Records placed in the custody of Archives Office or State Library;
Section 18	Deferral of the provision of the information pending publication under an Act or presentation to Parliament;
Section 20	Refusal of “voluminous” requests.

While it is neither an exception nor a refusal in the real sense this Chapter also includes requests which are unable to be fulfilled because the information requested is not in the possession of the agency. Where it can be identified that the information may be held by another agency the request will usually be transferred to the other body.

Table 14
Exceptions and Other Refusals - Summary - 2007/2008

Department	Exceptions Under s.9		Refusals Under s.20		Information not in the possession of the agency	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Government Departments	147	182	25	28	107	107
Prescribed Authorities	10	Nil	4	8	7	13
Councils	7	3	3	2	4	11
TOTALS	164	185	32	38	118	131

Tables 14 (Exceptions & Other Refusals) and 18 (Exemptions) indicate that the two most commonly used reasons for not providing requested information were sections 9 (information otherwise available) and 30 (personal privacy of a person other than the applicant) although the number of requests which sought information that was not held by the agency receiving the request was also quite high.

While included in this Chapter as ‘refusals’, as noted above, the use of section 9 does not necessarily indicate that the person did not get the information requested, merely that it may have been unnecessary or inappropriate to use the Freedom of Information processes to seek the information.

The inability to provide the applicant with the requested information because it is not in the possession of the agency, while neither an exemption nor exception, has been included in the above Table to indicate the disposition of the application. This can occur because the applicant is mistaken as to the nature of

information that is held by the agency or because the agency does not hold or no longer holds the requested information. Reviews of decisions are sometimes requested where the applicant is not happy that adequate searches for the information which has been requested have been undertaken.

Table 15
Exceptions and Other Refusals - Government Departments - 2007/2008

Department	Exceptions Under s.9		Refusals Under s.20		Information not in the possession of the Department	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Economic Development	Nil	1	Nil	Nil	1	3
Education	1	Nil	1	5	4	1
Environment, Parks, Heritage and the Arts	4	Nil	9	Nil	39	3
Health & Human Services	2	14	Nil	17	3	30
Infrastructure, Energy & Resources	18	3	4	Nil	6	3
Justice	112	4	9	1	49	19
Police & Emergency Management	Nil	159	Nil	1	2	28
Premier & Cabinet	4	Nil	2	Nil	Nil	6
Primary Industries & Water	2	Nil	Nil	Nil	Nil	6
Treasury & Finance	4	1	Nil	4	2	8
TOTALS	149	182	25	28	107	107

Table 16
Exceptions and Other Refusals - Prescribed authorities - 2007/2008

Prescribed Authority	Exceptions Under s.9		Refusals Under s.20		Information not in the possession of the authority	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Aurora Energy	1	Nil	1	3	Nil	4
Forestry Tasmania	8	Nil	2	3	Nil	1
Forest Practices Authority	Nil	Nil	Nil	Nil	3	3
Hydro Electric Corporation	Nil	Nil	1	Nil	Nil	1
Legal Aid Commission of Tasmania	Nil	Nil	Nil	Nil	1	2
Medical Council	Nil	Nil	Nil	Nil	1	Nil
Motor Accidents Insurance Board	Nil	Nil	Nil	Nil	Nil	1
Office of the Anti-Discrimination Commissioner	Nil	Nil	Nil	Nil	1	Nil

Prescribed Authority	Exceptions Under s.9		Refusals Under s.20		Information not in the possession of the authority	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Private Forests Tasmania	Nil	Nil	Nil	Nil	Nil	Nil
Tasmanian Fire Service	Nil	Nil	Nil	Nil	1	Nil
TOTE Tasmania	Nil	Nil	Nil	Nil	Nil	1
University of Tasmania	Nil	Nil	Nil	2	Nil	Nil
TOTALS	9	Nil	4	8	7	13

Table 17
Exceptions and Other Refusals - Councils - 2007/2008

Council	Exceptions Under s.9		Refusals Under s.20		Information not in the possession of the Council	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Break O Day Council	Nil	Nil	Nil	1	Nil	2
Central Coast Council	Nil	Nil	Nil	Nil	Nil	Nil
Central Highlands Council	1	Nil	Nil	Nil	Nil	Nil
Clarence City Council	Nil	Nil	Nil	Nil	Nil	Nil
Glamorgan/Spring Bay Council	Nil	Nil	Nil	Nil	Nil	Nil
Glenorchy City Council	Nil	Nil	Nil	Nil	Nil	4
Hobart City Council	Nil	Nil	Nil	Nil	Nil	2
Huon Valley Council	5	Nil	Nil	1	Nil	1
Kingborough Council	Nil	Nil	Nil	Nil	Nil	1
Launceston City Council	Nil	Nil	Nil	Nil	2	Nil
Meander Valley Council	Nil	Nil	3	Nil	Nil	Nil
Sorell Council	1	1	Nil	Nil	Nil	Nil
Tasman Council	Nil	2	Nil	Nil	Nil	1
Waratah/Wynyard Council	Nil	Nil	Nil	Nil	Nil	Nil
West Tamar Council	Nil	Nil	Nil	Nil	2	Nil
TOTALS	7	3	3	2	4	11

Exemptions

The FoI Act has a number of provisions which exempt certain types of information from release under the Act. As noted previously the application of exemptions (or of exceptions) may not result in denial of access and in some cases the FoI officer's determination would include exemptions so as to exclude from release parts of documents that are not relevant to or necessarily part of the request.

When information is deleted from or obscured in the material released it tends to be recorded as an exemption, even though in some cases the information which is not released would fall outside of the scope of the request.

The way in which the data for this Annual Report is collected does not differentiate on the reasons why exemptions are applied to the documents.

The following is a list of the exemption provisions in Part 3 of the Act:

Section 23	Executive Council Information
Section 24	Cabinet Information
Section 25	Information not Relating to Official Business
Section 26	Information Communicated by other States etc
Section 27	Internal Working Information
Section 28	Law Enforcement Information
Section 28A	Information Affecting National Security
Section 29	Information Affecting Legal Proceedings
Section 30	Information Affecting Personal Privacy of a person other than the applicant
Section 31	Information Relating to Trade Secrets etc of Undertakings
Section 32	Information Relating to Trade Secrets etc of Agency
Section 32B	Information relating to Law Society other than under certain parts of the <i>Legal Profession Act 1993</i>
Section 33	Information Obtained in Confidence
Section 34	Information on Procedures and Criteria
Section 35	Information likely to Affect State Economy
Section 35A	Information likely to Threaten Endangered Species etc.

Of the 602 exemptions that were applied to decisions in 2007/2008, section 30 (Information Affecting Personal Privacy) was the most commonly used. The exemptions applied in 2007/2008 represent a decrease of 10.7% compared to last year's figure but as the nature of the requests and of the material being processed varies it is not possible to attribute the decrease in exemptions to any particular trend.

As noted above the exemption in relation to personal information (s.30) is commonly used to protect the privacy of third parties rather than to deny the applicant access to the information which they have requested. Because the documents held by the agency can include information that relates to a third party, the name and other identifying or personal information may be masked on the released documents and will generally be recorded as an exemption under section 30 having been applied to the document.

A decision to release information relating to a third party could entail seeking the views of the person to whom the information relates. In some cases the applicant may follow up the initial decision with a request to seek the views of the third parties to determine whether additional material might be released.

Table 18
Exemptions claimed - Summary- 2007/2008

Agency	s.23	s.24	s.25	s.26	s.27	s.28	s.28A	s.29	s.30	s.31	s.32	s.32A	s.33	s.34	s.35	s.35A
Government	2	12	Nil	2	57	57	Nil	21	301	26	2	Nil	28	3	Nil	Nil
Departments	Nil	16	Nil	2	84	70	3	34	307	28	3	Nil	36	Nil	2	2
Prescribed	Nil	Nil	Nil	Nil	9	Nil	Nil	6	12	3	1	Nil	1	Nil	3	3

authorities	Nil	Nil	Nil	Nil	6	1	Nil	7	13	4	6	Nil	9	Nil	3	2
Councils	1	Nil	1	Nil	4	4	Nil	9	17	6	Nil	3	7	Nil	Nil	1
	Nil	Nil	Nil	Nil	3	6	1	3	12	3	1	Nil	6	Nil	Nil	Nil
TOTALS	3	12	1	2	70	61	Nil	36	330	35	3	3	36	3	3	4
	Nil	16	Nil	2	93	77	4	44	332	35	10	Nil	51	Nil	5	4

Table 19
Exemptions claimed - Government Departments – 2007/2008

Department	s.23	s.24	s.26	s.27	s.28	s.29	s.30	s.31	s.32	s.33	s.34	s.35	s.35A
Economic Development	Nil	Nil	Nil	1	Nil	2	3	2	Nil	1	Nil	Nil	Nil
	Nil	1	Nil	1	Nil	Nil	1	3	Nil	1	Nil	Nil	Nil
Education	Nil	Nil	1	Nil	Nil	1	10	Nil	Nil	2	Nil	Nil	Nil
	Nil	Nil	Nil	Nil	Nil	2	6	Nil	Nil	1	Nil	Nil	Nil
Environment, Parks, Heritage and the Arts	Nil	Nil	Nil	8	1	4	3	5	Nil	3	2	Nil	Nil
	Nil	2	Nil	10	1	Nil	8	6	Nil	1	Nil	Nil	Nil
Health & Human Services	Nil	Nil	Nil	5	Nil	4	45	4	Nil	4	1	Nil	Nil
	Nil	1	1	4	Nil	3	30	4	2	4	Nil	Nil	Nil
Infrastructure, Energy and Resources	Nil	1	1	8	Nil	3	13	3	1	3	Nil	Nil	Nil
	Nil	Nil	1	10	16	8	27	1	Nil	11	Nil	Nil	Nil
Justice	1	3	Nil	5	5	Nil	11	2	Nil	5	Nil	Nil	Nil
	Nil	Nil	Nil	15	44	5	173	Nil	Nil	3	Nil	Nil	Nil
Police & Emergency Management	Nil	Nil	Nil	9	51	2	190	Nil	Nil	1	Nil	Nil	Nil
	Nil	4	Nil	6	Nil	7	6	1	Nil	Nil	Nil	Nil	Nil
Premier & Cabinet	1	7	Nil	4	Nil	1	7	1	Nil	4	Nil	Nil	Nil
	Nil	3	Nil	22	3	8	14	9	Nil	8	Nil	2	2
Primary Industries & Water	Nil	1	Nil	13	Nil	4	18	9	1	5	Nil	Nil	Nil
	Nil	Nil	Nil	9	6	3	41	1	Nil	6	Nil	Nil	Nil
Treasury & Finance	Nil	1	Nil	4	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil	Nil
	Nil	5	Nil	7	Nil	Nil	1	3	Nil	1	Nil	Nil	Nil
TOTALS	2	12	2	57	57	21	301	26	2	28	3	Nil	Nil
	Nil	16	2	84	70	36	307	28	3	36	Nil	2	2

Table 20
Exemptions claimed - Prescribed authorities – 2007/2008

Prescribed authority	s.27	s.28	s.29	s.30	s.31	s.32	s.33	s.35	s.35A
Aurora Energy	Nil	Nil	Nil	1	1	Nil	Nil	Nil	Nil
	Nil	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil
Forestry Tasmania	3	Nil	1	Nil	1	1	Nil	3	Nil
	2	Nil	Nil	2	4	4	4	3	Nil
Forest Practices Authority	4	Nil	Nil	4	1	Nil	Nil	Nil	3
	2	1	Nil	4	Nil	Nil	Nil	Nil	2
Hobart Water	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	Nil
Hydro Tasmania	Nil	Nil	Nil	3	Nil	Nil	Nil	Nil	Nil
	Nil	Nil	Nil	3	Nil	2	Nil	Nil	Nil
Law Society of Tasmania	1	Nil	1	1	Nil	Nil	1	Nil	Nil
	1	Nil	1	Nil	Nil	Nil	Nil	Nil	Nil
Motor Accidents Insurance Board	Nil	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil
	Nil	Nil	4	Nil	Nil	Nil	Nil	Nil	Nil
Office of the Anti Discrimination Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	1	Nil	Nil	Nil	Nil	Nil	2	Nil	Nil
Private Forests	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil	Nil
Psychologists Registration Board	Nil	Nil	Nil	1	Nil	Nil	Nil	Nil	Nil
	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

Prescribed authority	s.27	s.28	s.29	s.30	s.31	s.32	s.33	s.35	s.35A
Public Trustee	N Nil Nil il	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Retirement Benefits Fund Board	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Tasmanian Fire Service	Nil Nil	Nil Nil	3 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
TOTE Tasmania	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
University of Tasmania	1 Nil	Nil Nil	Nil Nil	1 2	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil
TOTALS	9 6	Nil 1	6 7	12 13	3 4	1 6	1 9	3 3	3 2

Table 21
Exemptions claimed - Councils – 2007/2008

Council	s.23	s.25	s.27	s.28	s.29	s.30	s.31	s.32	s.32A	s.33	s.35A
Break O Day	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	4 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Brighton Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Burnie City Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil
Central Coast Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	2 Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil
Central Highlands Council	Nil Nil	Nil Nil	Nil 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Circular Head Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil 2	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil
Clarence City Council	Nil Nil	Nil Nil	Nil Nil	4 2	Nil Nil	3 2	Nil Nil	Nil Nil	Nil Nil	2 Nil	Nil Nil
Derwent Valley Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 Nil	1 Nil	Nil Nil	Nil 1	Nil Nil	Nil 2	Nil Nil
George Town Council	Nil Nil	Nil Nil	2 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Glamorgan/Spring Bay Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	2 Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Glenorchy City Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	2 1	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil
Hobart City Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 4	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil
Kingborough Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Launceston City Council	Nil Nil	Nil Nil	1 Nil	Nil Nil	3 2	3 2	Nil 3	Nil Nil	Nil Nil	Nil 1	Nil Nil
Meander Council	Nil Nil	Nil Nil	Nil 2	Nil Nil	1 1	Nil 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil 1
Northern Midlands Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 2	Nil Nil
Southern Midlands Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 1	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil
Tasman Council	1 Nil	1 Nil	1 Nil	Nil Nil	2 Nil	4 Nil	Nil Nil	Nil Nil	2 Nil	Nil Nil	1 Nil
Waratah/ Wynyard Council	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	Nil Nil	1 Nil	Nil Nil
TOTALS	1 Nil	1 Nil	4 3	4 2	9 3	17 12	6 3	Nil 1	3 Nil	7 6	1 1

CHAPTER FIVE: TIMEFRAMES FOR DECISIONS

Section 16 of the FoI Act requires an agency to notify an applicant of its decision in respect of a request for information within 30 days.

In 2007/2008 81.5% of decisions on applications made under the FoI Act were made within 30 days of the receipt of the application. This figure represents a very slight increase compared to last year but is comparable to the figures of previous years.

Apart from delays caused by complex requests, there are a number of reasons for delays in finalising decisions on applications which are brought about by the procedures under the Act itself, some of which are set out below. The data collected does not allow for any differentiation of the reasons for delays in finalising requests.

Requests received may seek personal information relating to another person or information originally acquired by the agency from a business, commercial or financial undertaking other than from a business owned by the applicant. To protect the privacy or business interests of the person or business sections 30 and 31 of the Act require that the views of the person, business or undertaking be sought regarding the release of the information before a decision to release information about them or their business is made. Obtaining their views may take some time to obtain after the information has been identified so the 30-day time limit can be difficult or impossible to meet. The Act allows the person or business to be given time to consider whether to agree or object to the release of the information.

Further, if a decision is made by the agency to release information contrary to the view expressed by the person, business or undertaking under sections 30 or 31 then the person, business or undertaking must be notified and 28 days must be allowed to elapse before the information is actually released to the applicant. Within that period the person or business objecting to the release of the information can seek a review of the agency's decision by the Ombudsman. In these instances it would be impossible to comply with the 30-day time limit in section 16 and the responsible FoI officer would indicate to the applicant that it would not be possible to finalise the determination in that time and request an extension.

Section 18 of the Act allows an agency to defer providing information if it is proposed to be published by the agency but has not yet been published or if it was prepared for presentation to Parliament but has not at that time been so presented. This could result in a delay in providing the information or perhaps withdrawal if the information is later made publicly available.

If a request has been made to an agency or Minister under section 13 or 37 of the FoI Act and the period for making a decision has elapsed without notice of a decision on the request being received by the applicant, there is deemed to be a decision of the agency refusing to grant the request. The applicant may then seek a review by the Ombudsman of the deemed refusal. Rather than review the matter immediately the Ombudsman may grant the agency an extension of time to deal with the application. The applicant may also agree (without necessarily taking the matter to the Ombudsman and often subject to fees being reduced or waived) to the period of time to make a decision being extended.

Table 22
Time Taken to Complete Requests - Summary - 2007/2008

Department	30 days or less		Greater than 30 days		Extension negotiated	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
	Government Departments	824	938	240	225	56
Prescribed Authorities	57	81	31	18	3	4
Councils	144	139	9	23	Nil	7
TOTALS	1025	1158	280	266	59	47

Government Departments

82.1% of requests were dealt with within the 30-day deadline. It is noteworthy to mention the promptness with which the Department of Police and Emergency Management processes the bulk of its FoI applications, with approximately 98.9% dealt with within the 30-day period compared with the average for the other Departments of approximately 67%.

Table 23
Time Taken to Complete Requests - Government Departments - 2007/2008

Department	30 days or less		Greater than 30 days		Extension negotiated	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Economic Development and Tourism	6	10	1	7	Nil	Nil
Education	16	17	17	23	16	Nil
Environment, Parks, Heritage and the Arts	4	7	17	18	11	5
Health & Human Services	100	174	109	84	6	Nil
Infrastructure, Energy & Resources	35	42	16	20	13	14
Justice	113	101	8	5	Nil	4
Police & Emergency Management	552	540	10	6	Nil	3
Premier & Cabinet	12	15	13	14	Nil	2
Primary Industries & Water	7	19	47	49	10	4
Treasury & Finance	12	23	2	6	Nil	4
TOTALS	824	948	240	232	56	36

Prescribed authorities

Table 24
Time Taken to Complete Requests - Prescribed authorities - 2007/2008

Prescribed Authority	30 days or less		Greater than 30 days		Extension negotiated	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Aurora Energy	2	12	2	1	Nil	Nil
Esk Water	1	Nil	Nil	Nil	Nil	Nil
Forestry Tasmania	13	14	12	2	1	2
Forest Practices Authority	9	13	10	5	1	2
Government Pricing and Oversight Commission	1	Nil	Nil	Nil	Nil	Nil
Hobart Water	1	Nil	Nil	Nil	Nil	Nil
Hydro Tasmania	5	10	1	Nil	1	Nil
Law Society of Tasmania	1	1	Nil	Nil	Nil	Nil
Legal Aid Commission	1	3	1	Nil	Nil	Nil
Marine and Safety Tasmania	1	Nil	Nil	Nil	Nil	Nil
Metro Tasmania	1	Nil	Nil	Nil	Nil	Nil
Motor Accidents Insurance Board	11	14	Nil	Nil	Nil	Nil
Office of the Anti-Discrimination Commissioner	2	Nil	1	Nil	Nil	Nil
Private Forests Tasmania	1	1	Nil	Nil	Nil	Nil
Psychologists Registration Board	1	3	Nil	Nil	Nil	Nil
Public Trustee	1	Nil	Nil	Nil	Nil	Nil

Prescribed Authority	30 days or less		Greater than 30 days		Extension negotiated	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Retirement Benefits Fund Board	Nil	2	Nil	Nil	Nil	Nil
TAFE	1	1	1	Nil	Nil	Nil
Tasmania Fire Service	Nil	2	Nil	6	Nil	Nil
TOTE Tasmania	1	2	2	1	Nil	Nil
University of Tasmania	4	3	1	3	Nil	Nil
TOTALS	57	81	31	18	3	4

Councils

Table 25
Time Taken to Complete Requests - Councils - 2007/2008

Council	30 days or less		Greater than 30 days		Extension negotiated	
	2006/07	2007/08	2006/07	2007/08	2006/07	2007/08
Break O'Day Council	7	9	Nil	3	Nil	3
Brighton Council	2	3	Nil	Nil	Nil	Nil
Burnie City Council	3	2	Nil	1	Nil	Nil
Central Coast Council	2	3	1	Nil	Nil	Nil
Central Highlands Council	2	Nil	Nil	Nil	Nil	Nil
Circular Head Council	Nil	1	Nil	Nil	Nil	Nil
Clarence City Council	9	5	1	3	Nil	Nil
Derwent Valley Council	Nil	5	Nil	Nil	Nil	Nil
Devonport City Council	4	1	Nil	5	Nil	Nil
George Town Council	5	4	Nil	Nil	Nil	Nil
Glamorgan/Spring Bay Council	6	3	Nil	3	Nil	Nil
Glenorchy City Council	13	16	Nil	Nil	Nil	Nil
Hobart City Council	43	36	Nil	Nil	Nil	Nil
Huon Valley Council	6	7	Nil	Nil	Nil	Nil
Kentish Council	Nil	5	Nil	Nil	Nil	Nil
Kingborough Council	11	17	Nil	Nil	Nil	Nil
Latrobe Council	2	1	Nil	Nil	Nil	Nil
Launceston City Council	7	7	4	4	Nil	2
Meander Council	4	1	2	Nil	Nil	Nil
Northern Midlands Council	4	2	Nil	Nil	Nil	Nil
Sorell Council	6	2	Nil	1	Nil	Nil
Southern Midlands Council	1	1	Nil	Nil	Nil	Nil
Tasman Council	1	5	1	3	Nil	2
Waratah-Wynyard Council	Nil	3	Nil	Nil	Nil	Nil
West Tamar Council	4	Nil	Nil	Nil	Nil	Nil
TOTALS	144	139	9	23	Nil	7

CHAPTER SIX: REVIEW OF DECISIONS

The Fol Act provides a number of avenues for review for an applicant who is not satisfied that the agency has made a proper search or that it has revealed all the information which the applicant has sought or to which the applicant is entitled. The applicant can also challenge exemptions or exceptions used by the agency with which the applicant does not agree and have the decision reviewed. Reviews may be within the agency or by the Ombudsman.

The following decisions under the Act are, at the request of the applicant, subject to review by the agency which made the initial decision in relation to the Fol request:

- that the applicant is not entitled to the information requested;
- that the information requested is exempt information;
- the amount of the expected charge to be paid for the information;
- that provision of the information should be deferred pending publication or presentation to Parliament;
- the refusal of a request on the grounds that a request is deemed to be voluminous;
- to provide to a third party, without the consent of the person, information relating to the personal affairs of a person ;
- to provide to a third party, without the consent of the business or undertaking, information which is likely to expose the commercial affairs of a business or undertaking to competitive disadvantage;
- the refusal of a request to amend personal information;
- the deemed refusal of a request due to delay beyond the date a response is due.

If an applicant is not satisfied with a decision received from an agency, the applicant has the right to seek such a review. Most reviews will be undertaken internally by the principal officer or another authorised Fol officer nominated by the principal officer who will examine the original decision and either endorse it or vary it. If not satisfied with this decision, the applicant has a further right of external review by the Ombudsman.

If the Minister or the principal officer of the agency made the original decision then a request for a review may be made directly to the Ombudsman. In most cases an authorised officer makes the initial decision and direct recourse to the Ombudsman is not necessary. Ministers make few, if any, Fol decisions.

Where the agency has not provided a decision within the time limit set by the Act an application for review may be made directly to the Ombudsman. The Ombudsman generally prefers to expedite the determination of the request by the original agency over using the Ombudsman's power to determine a request without an initial decision having been made by the Agency.

Internal Reviews

As can be seen by Table 26, agencies reported 58 requests for internal review in 2007/2008, and made some 56 review determinations in the reporting period. Some of the determined reviews would have been requested in the previous reporting period. The numbers of internal reviews by Departments dropped but the number of Councils receiving requests for reviews showed a marked increase, which reverses the direction of the last few reporting periods (although numbers of requests are so low it is not possible to attribute any real trend).

Prescribed authorities, showed a slight increase in reviews with most being requested of Aurora, Forestry Tasmania and the University of Tasmania. Although the numbers are still quite low they do represent a significant proportion of the total requests or determinations made to authorities.

Table 26

Internal Reviews - All Departments, Authorities and Councils – 2007/2008

Department	Internal Reviews Requested		Internal Reviews Determined	
	2006/07	2007/08	2006/07	2007/08
Economic Development and Tourism	1	2	1	2
Education	9	1	8	1
Environment, Parks, Heritage and the Arts	5	3	5	3
Health & Human Services	8	3	6	3
Infrastructure, Energy and Resources	1	3	1	3
Justice	8	6	8	6
Police & Emergency Management	8	8	8	7
Premier & Cabinet	3	1	3	Nil
Primary Industries & Water	Nil	4	2	7
Treasury & Finance	2	Nil	2	Nil
Sub total	45	31	44	32
Prescribed Authority				
Aurora Energy	Nil	4	Nil	4
Forestry Tasmania	5	3	5	1
Forest Practices Authority	1	2	1	2
Legal Aid Commission	Nil	1	Nil	1
Hobart Water	1	Nil	1	Nil
Retirement Benefits Fund Board	Nil	1	Nil	1
University of Tasmania	3	3	3	2
Sub total	10	14	10	11
Council				
Central Coast Council	1	2	1	2
Clarence Council	Nil	1	Nil	1
Derwent Valley Council	Nil	1	Nil	1
George Town Council	Nil	1	Nil	1
Glamorgan/Spring Bay	Nil	1	Nil	1
Glenorchy City Council	1	2	1	2
Hobart City Council	Nil	1	Nil	1
Huon Valley Council	Nil	1	Nil	1
Kingborough Council	Nil	1	Nil	1
Southern Midlands Council	Nil	1	Nil	1
Tasman Council	Nil	1	Nil	1
Subtotal	2	13	2	13
TOTALS	57	58	56	56

External Reviews

All decisions may on application, be subject to internal review and also subject to review by the Ombudsman. Internal review is not always necessary before the matter is taken to the Ombudsman but that would normally be the case. Delays in providing decisions are usually dealt with between the agency and the applicant but the Ombudsman may, on application, review overdue decisions which are deemed to have been refused. Generally the involvement of the Ombudsman is informal and is to assist in expediting the decisions of the agency.

The Ombudsman, in dealing with applications to review agency decisions, has the right to view all information relevant to the request and to make a fresh decision.

The number of external reviews sought is quite high when compared with the number of internal reviews, but it should be noted that if the principal officer made the initial decision, the only recourse is to the Ombudsman for a further examination of the matter.

The Ombudsman made a total of 20 (37) determinations. Tables 29 to 31 set out the results and outcomes of the finalised applications for external review. A more detailed commentary of the types of decisions and reasons in relation to reviews conducted by the Ombudsman is contained in the Ombudsman's 2007/2008 Annual Report.

Table 27

Ombudsman Reviews – Requests Received - 2004/2005 to 2007/2008

Applications To Ombudsman for Review	2004/05	2005/06	2006/7	2007/8
Total applications received	134	57	75	63
Total applications formally determined	40	23	37	20

Table 28

Ombudsman Reviews - Summary of Decisions - 2004/2005 to 2007/2008

Decision	2004/05	2005/06	2006/07	2007/08
Agency Decisions affirmed in full	19	13	15	10
Agency Decision Varied	7	5	18	10
Agency Decision Set Aside	9	5	4	Nil
Total External Reviews Formally Determined	40	23	37	20
Applications resolved with the assistance of the office but without an external review completed	117	34	38	43
TOTALS	157	57	75	63

Note:

In 2004/5, 60 review applications related to one applicant who was provided with an alternative review process to amend personal information.

Table 29**Ombudsman Reviews - Government Departments - 2006/2007 and 2007/2008**

Departments	2006/07 Applications Received	2006/07 Reviews Undertaken	2006/07 Decision Varied/ set aside	2007/08 Applications Received	2007/08 Reviews Undertaken	2007/08 Decision Varied/ set aside
Education	7	Nil	Nil	3	1	1
Environment, Parks, Heritage and the Arts	3	2	1	3	0	0
Health & Human Services	13	5	3	15	4	1
Infrastructure, Energy & Resources	3	2	1	3	0	0
Justice	10	6	3	9	2	0
Police and Emergency Management	9	6	3	2	1	1
Premier and Cabinet	6	2	1	1	2	2
Primary Industries & Water	4	4	3	6	Nil	Nil
Treasury & Finance	2	2	1	Nil	Nil	Nil
Sub-Total	57	29	16	42	10	5

Table 30**Ombudsman Reviews - Prescribed Authorities - 2006/2007 and 2007/2008**

Prescribed Authorities	2006/07 Applications Received	2006/07 Reviews Undertaken	2006/07 Decision Varied/ set aside	2007/08 Applications Received	2007/08 Reviews Undertaken	2007/08 Decision Varied/ set aside
Aurora Energy	Nil	Nil	Nil	5	2	2
Forestry Tasmania	3	2	2	5	3	1
Hobart Water	1	Nil	Nil	Nil	Nil	Nil
Law Society of Tasmania	Nil	Nil	Nil	1	Nil	Nil
Legal Aid Commission	1	1	1	1	Nil	Nil
Office of the Anti-Discrimination Commissioner	1	1	1	Nil	Nil	Nil
Private Forests Tasmania	1	Nil	Nil	Nil	Nil	Nil
Psychologists Registration Board	Nil	Nil	Nil	2	Nil	Nil
TOTE Tasmania	2	1	1	Nil	Nil	Nil
Transend Networks P/L	1	Nil	Nil	1	Nil	Nil
University of Tasmania	1	1	1	1	1	1
Sub-Total	11	6	6	16	6	4

Table 31**Ombudsman Reviews - Councils - 2006/2007 and 2007/2008**

Local Government	2006/07 Applications Received	2006/07 Reviews Undertaken	2006/07 Decision Varied/ set aside	2007/08 Applications Received	2007/08 Reviews Undertaken	2007/08 Decision Varied/ set aside
Break O'Day Council	Nil	Nil	Nil	1	Nil	Nil
Central Coast Council	1	Nil	Nil	2	Nil	Nil
Clarence City Council	1	Nil	Nil	Nil	1	Nil
Glamorgan/Spring Bay Council	1	Nil	Nil	1	Nil	Nil

Local Government	2006/07 Applications Received	2006/07 Reviews Undertaken	2006/07 Decision Varied/ set aside	2007/08 Applications Received	2007/08 Reviews Undertaken	2007/08 Decision Varied/ set aside
Huon Valley Council	Nil	Nil	Nil	1	1	Nil
Launceston City Council	1	Nil	Nil	Nil	1	Nil
Meander Valley Council	2	Nil	Nil	Nil	Nil	Nil
Southern Midlands Council	Nil	Nil	Nil	2	Nil	Nil
Tasman Council	Nil	Nil	Nil	2	Nil	Nil
West Tamar Council	1	1	Nil	Nil	Nil	Nil
Sub-Total	7	1	Nil	11	4	1
Out of Jurisdiction	Nil	Nil	Nil	1	Nil	Nil
TOTALS (Tables 29,30,31)	75	37	22	70	20	10

CHAPTER SEVEN: FEES AND CHARGES

The FoI Act provides for certain fees to be paid by applicants. Section 17 of the Act requires that prescribed charges be uniform for all agencies and also sets out detailed principles upon which such charges should be based.

Until 1 January 2005, the fees under the Act had not been adjusted since the Act commenced in 1992. The *Freedom of Information (Fees) Regulations 2004*, which commenced on 1 January 2005, prescribed the new charges which may be made under the Act and expressed the fees in fee units (until that time they had been expressed as dollars and cents). The value of a fee unit is indexed annually and at the commencement of the above regulations the value of a fee unit was \$1.11, which resulted in the search fee of \$25.00 per hour which had been set in 1992, increasing to \$27.50 per hour from the beginning of 2005. For the financial year 2007/2008 the value of a fee unit increased to \$1.25.

Charges can also be levied for any other actual costs incurred.

Charges can only be levied when information is actually provided and can be levied for:

- time for a routine search for records @ 25 fee units (\$31.25) per hr;
- time spent supervising the inspection of records by the applicant @ 25 fee units (\$31.25) per hour;
- supplying A4 plain photocopies @ 0.2 fee units (25 cents) per page;
- supplying written transcripts @ 15 fee units (\$18.75) per page.

Charges cannot be levied for additional time taken to search for lost or misplaced records, for time spent examining records to decide whether they are exempt or for time taken deleting exempt information.

Where the expected cost is calculated to exceed \$25 (a figure which has not been indexed) a notice of the expected charge must be sent to the applicant and a deposit may be sought against the final costing. The maximum charges that can be levied are \$100 for personal information and \$400 for other information. These maximum charges have not been indexed since the Act commenced.

A charge is to be waived for a routine request or for a request from a Member of Parliament or from an impecunious applicant. No charge can be claimed for the amendment of personal information.

The FoI Act requires fees to be reduced for personal information (first \$50 waived/maximum of \$100 charged) and when information is sought in the general public interest (first \$50 waived). In addition to the listed waivers and reductions, many agencies have a policy on fees, which effectively waives the fees without applying section 17 criteria, particularly for personal information.

The following table shows the amount of charges collected and the number of requests in respect of which charges were waived in the reporting period. The figures reflect a reasonably static situation in respect of waiving of fees both in terms of the amount and the numbers.

Table 32
Fees and Charges - All Agencies – 2005/2006 to 2007/2008

Agency	2005/06 Total Charges collected \$	2005/06 Number of Charges Waived	2006/07 Total Charges collected \$	2006/07 Number of Charges Waived	2007/08 Total Charges collected \$	2007/08 Total Charges Waived
Department of Economic Development and Tourism	\$18.40	20	Nil	6	Nil	17
Department of Education	Nil	38	Nil	34	Nil	48
Department of Environment, Parks, Heritage and the Arts	Nil	15	Nil	11	Nil	Nil

Agency	2005/06 Total Charges collected \$	2005/06 Total Number of Charges Waived	2006/07 Total Charges collected \$	2006/07 Total Number of Charges Waived	2007/08 Total Charges collected \$	2007/08 Total Number of Charges Waived
Department of Health & Human Services	\$512.40	251	\$242.78	207	Nil	Nil
Department of Infrastructure, Energy & Resources	\$484.43 (1)	19	\$13.20 (1)	31	\$245.30	Nil
Department of Justice	\$6197.36	55	\$9601.36	12	\$1702.70 (2)	74
Department of Police & Emergency Management	\$3020.20	94	\$2507.20	146	\$3073.80	167
Department of Premier & Cabinet	Nil	24	Nil	54	Nil	25
Department of Primary Industries & Water	Nil	30	Nil	28	Nil	62
Department of Treasury & Finance	Nil	1	Nil	1	Nil	29
Break O'Day Council	Nil	3	\$75.00	4	\$78.40	3
Brighton Council	Nil	Nil	\$132.00	Nil	\$179.96	Nil
Burnie City Council	\$104.41	Nil	Nil	3	Nil	3
Clarence City Council	\$62.80	2	\$98.60	1	\$74.50	Nil
Central Coast Council	Nil	8	Nil	2	Nil	7
Central Highlands Council	Nil	1	Nil	2	Nil	Nil
Circular Head Council	Nil	Nil	Nil	Nil	\$25	Nil
Derwent Valley Council	Nil	2	Nil	Nil	\$287.00	Nil
Devonport City Council	Nil	1	Nil	4	Nil	6
George Town Council	Nil	1	\$300.00	2	\$400	Nil
Glamorgan/Spring Bay Council	\$84	1	\$304.00	2	\$180	1
Glenorchy City Council	Nil	1	Nil	12	Nil	16
Hobart City Council	\$899.50	5	\$679.50	10	\$457.50	15
Huon Valley Council	\$77.55	2	Nil	1	\$146.30	15
Kentish Council	Nil	Nil	Nil	Nil	\$75	3
Kingborough Council	Nil	4	Nil	11	Nil	17
Launceston City Council	\$60	6	358.26	4	\$587.20	4
Meander Council	Nil	Nil	Nil	6	Nil	1
Northern Midlands Council	Nil	Nil	Nil	4	Nil	2
Sorell Council	\$25	7	\$50.00	6	\$50.00	Nil
Southern Midlands Council	Nil	Nil	Nil	Nil	Nil	1
Tasman Council	Nil	Nil	\$303.25	Nil	\$306.48	2
Waratah/Wynyard Council	Nil	6	Nil	2	Nil	3
West Coast Council	Nil	Nil	Nil	Nil	Nil	Nil
West Tamar Council	Nil	4	Nil	4	Nil	Nil
Aurora Energy	Nil	1	Nil	3	Nil	11
Forestry Tasmania	\$60.50	Nil	Nil	11	\$7.50	15
Forest Practices Authority	-	-	\$18.95	4	Nil	18
Hobart Water	Nil	1	Nil	1	Nil	Nil
Law Society of Tasmania	Nil	Nil	Nil	Nil	Nil	1
Legal Aid Commission	Nil	Nil	Nil	2	Nil	3
Marine & Safety Tasmania	Nil	Nil	Nil	1	Nil	Nil
Metro Tasmania	Nil	Nil	\$25.00	Nil	Nil	Nil
Motor Accidents Insurance Board	Nil	Nil	Nil	11	Nil	14
Office of the Anti-Discrimination Commissioner	Nil	Nil	\$75.80	Nil	Nil	Nil
Private Forests Tasmania	Nil	5	Nil	1	Nil	1
Psychologists Registration Board	-	-	\$25.00	1	Nil	2

Agency	2005/06 Total Charges collected \$	2005/06 Total Number of Charges Waived	2006/07 Total Charges collected \$	2006/07 Total Number of Charges Waived	2007/08 Total Charges collected \$	2007/08 Total Number of Charges Waived
Retirement Benefits Fund Board	Nil	2	Nil	Nil	Nil	2
TAFE Tasmania	Nil	1	Nil	2	Nil	1
Tasmania Fire Service	\$132	2	Nil	5	\$238.50	2
TOTE Tasmania					Nil	3
Transend Networks Pty Ltd	Nil	1	Nil	Nil	Nil	Nil
University of Tasmania	Nil	3	Nil	5	Nil	6
TOTALS	\$11,738.55	617	\$14,809.90	657	\$8115.14	583

Note:

In collating this year's statistics, a distinction has been made between fees collected under Fol and those collected under Departmental Disclosure Policies, where the application is made under Fol but resolved under other access arrangements. This accounts for the apparent large reduction in fees collected from \$9601.36 to \$1702.70

CHAPTER EIGHT: ADMINISTRATION OF FREEDOM OF INFORMATION

An Fol Advisory Unit was set up in 1992 to facilitate the introduction of the Act and to provide ongoing training, advice and assistance to the government, agencies and the public in relation to the operation of the Act. The Unit was at that time located in the Department of Premier and Cabinet and was transferred in May 1996 to the Office of the Ombudsman in the Department of Justice.

The Unit while in the Office of the Ombudsman:

- provided general telephone and in-person advice and assistance to members of the public and agencies on the operation of the Act;
- conducted training and information sessions for agencies and community groups; and
- collected of statistical data on Fol requests from agencies for the whole of Government Annual Report.

Since that time the authorised officers in departments, authorities and councils have gained significant experience in dealing with the Fol Act and the Unit in the Ombudsman's office was disbanded as individual agencies were able handle most matters. The Office of the Ombudsman still fields some inquiries, particularly relating to reviews of decisions, but generally the public is directed to the Freedom of Information officers of the relevant department, authority or council.

From July 2005 the responsibility for the collection of statistical data and preparation of this Annual Report transferred from the Office of the Ombudsman to the secretariat of the Department of Justice which since then has been preparing the Annual Report on the operation of the Act.

Copies of the *Freedom of Information Act 1991*, the *Freedom of Information Regulations 2001* and the *Freedom of Information (Fees) Regulations 2004* can be purchased from Print Applied Technology Pty Ltd or can be downloaded from www.thelaw.tas.gov.au.

The publication "A User's Guide to Freedom of Information" was reviewed during 2005/2006 and moved from the Department of Premier and Cabinet's website to the Department of Justice website. The Guide can be accessed and downloaded from the Department of Justice website at: http://www.justice.tas.gov.au/legislationreview/Fol_act_1991/guidelines

Application forms are not mandatory when seeking information under the Fol Act but a form that assists both the applicant to formulate the request and the agency to manage the determination of the request, is available from individual departments, authorities and councils and can be found on many of their websites. A form may also be downloaded from the Department of Justice website at http://www.justice.tas.gov.au/_data/assets/pdf_file/0005/58676/FOI_Form.pdf

Appendix 1: Government Departments as at 30 June 2008

Department of Economic Development and Tourism
Department of Education
Department of Environment, Parks, Heritage and the Arts
Department of Health and Human Services
Department of Infrastructure, Energy and Resources
Department of Justice
Department of Police and Emergency Management
Department of Premier and Cabinet
Department of Primary Industries and Water
Department of Treasury and Finance
Tasmanian Audit Office*

Appendix 2: Prescribed authorities as at 30 June 2008

Aurora Energy
Chiropractors & Osteopaths Registration Board*
Copping Refuse Disposal Site Joint Authority*
Coal River Water Recycling Authority*
Cradle Coast Water*
Dental Board of Tasmania*
Dental Prosthetists Registration Board*
Esk Water Authority*
Forests, Forest Industry Council*
Forestry Tasmania
Forest Practices Authority
Government Pricing & Oversight Commission*
Greyhound Racing Tasmania*
Guardianship and Administration Board*
Harness Racing Tasmania*
Health Complaints Commissioner*
Hobart Water*
Hydro Tasmania
Inland Fisheries Service*
Law Society of Tasmania
Legal Aid Commission of Tasmania
Marine and Safety Tasmania
May Shaw Nursing Centre*

Medical Council of Tasmania*

Medical Radiation Science Professionals Registration Board of Tasmania*

Mental Health Review Tribunal*

Metro Tasmania Pty Ltd*

Motor Accidents Insurance Board

Nursing Board of Tasmania*

Office of the Anti Discrimination Commissioner*

Office of the Tasmanian Energy Regulator*

Optometrists Registration Board*

Pharmacy Board of Tasmania*

Physiotherapists Registration Board of Tasmania*

Plumbers and Gasfitters Registration Board*

Podiatrists Registration Board of Tasmania*

Port Arthur Historic Site Management Authority*

Printing Authority of Tasmania*

Private Forests Tasmania

Property Agents Board*

Psychologists Registration Board of Tasmania

The Public Trustee*

Retirement Benefits Fund Board

Royal Tasmanian Botanical Gardens*

Solicitor General*

Southern Regional Cemetery Trust*

Southern Waste Strategy Authority*

TAFE Tasmania

Tasmanian Building and Construction Industry Training Board*

Tasmanian Central Regional Authority*

Tasmania Fire Service

Tasmanian Public Finance Corporation*

TOTE Tasmania

Transend Networks Pty Ltd*

University of Tasmania

* No Fol requests reported in 2007/2008

Appendix 3: Councils as at 30 June 2008

Break O'Day Council
Brighton Council
Burnie City Council
Central Coast Council
Central Highlands Council*
Circular Head Council
Clarence City Council
Derwent Valley Council
Devonport City Council
Dorset Council
Flinders Council*
George Town Council
Glamorgan/Spring Bay Council
Glenorchy City Council
Hobart City Council
Huon Valley Council
Kentish Council
King Island Council*
Kingborough Council
Latrobe Council
Launceston City Council
Meander Valley Council
Northern Midlands Council
Sorell Council
Southern Midlands Council
Tasman Council
Waratah-Wynyard Council
West Coast Council
West Tamar Council*

* No FoI requests reported in 2007/2008