

RIGHT TO INFORMATION

ANNUAL REPORT

on the administration of the *Right to Information Act*
2009 for the period 1 July 2019 – 30 June 2020

Right to Information Annual Report 2019-20

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March 2021

Hon Elise Archer MP
Minister for Justice

Annual Report on the Administration of the *Right to Information Act 2009* for the year ended 30 June 2020

In accordance with the requirements of section 53 of the *Right to Information Act 2009* (the Act), I have pleasure in presenting to you the Annual Report on the Administration of the Act for the year ended 30 June 2020.

Except for information about reviews conducted by the Ombudsman, the statistics and data contained in this Report are taken directly from information provided by each public authority. The Office of the Ombudsman provided the data about the outcomes of reviews conducted by the Ombudsman. The Report is compiled by the Department of Justice from the information provided to it by those authorities. The Department of Justice does not validate or audit that data.

Ginna Webster
Secretary

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1 INTRODUCTION

1.1 Object of the Act

The object of the *Right to Information Act 2009* (the Act) is outlined in section 3 of the Act. The section reads as follows:

“3. Object of Act

- (1) *The object of this Act is to improve democratic government in Tasmania –
 - (a) by increasing the accountability of the executive to the people of Tasmania; and
 - (b) by increasing the ability of the people of Tasmania to participate in their governance; and
 - (c) by acknowledging that information collected by public authorities is collected for and on behalf of the people of Tasmania and is the property of the State.*
- (2) *This object is to be pursued by giving members of the public the right to obtain information held by public authorities and Ministers.*
- (3) *This object is also to be pursued by giving members of the public the right to obtain information about the operations of Government.*
- (4) *It is the intention of Parliament –
 - (a) that this Act be interpreted so as to further the object set out in subsection (1); and
 - (b) 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.”*

The Act is intended to improve the operation of democracy in the State by increasing the accountability of government to the people, and by increasing the ability of the people to participate in government decision-making. The underlying principle is that the information held by Tasmanian public authorities belongs to the people of the State, and has been collected for them and on their behalf.

Section 3 speaks of "a right to obtain information about the operations of Government". This statutory right has been created to assist in the better working of democracy, and should be seen as integral to our democratic system of government. The administration of the Act, including the making of decisions under the Act as to whether information requested under it is or is not released, is to be approached in this spirit.

As subsection 3(4) states, the Act is to be interpreted so as to further its objectives. The subsection also states Parliament's intention that decisions under the Act should be made with a view to providing the public with the maximum amount of information, as quickly and as cheaply as is reasonably possible.

1.2 Application of the Act to Public Authorities and Ministers

The Act applies to Ministers and public authorities.

Section 5 of the Act, **Interpretation**, includes a definition of “public authority”.

"public authority" means –

- (a) an Agency, within the meaning of the State Service Act 2000; or*
- (ab) the University of Tasmania; or*
- (b) the Police Service; or*
- (c) a council; or*
- (d) a statutory authority; or*
- (e) a body, whether corporate or unincorporate, that is established by or under an Act for a public purpose; or*
- (f) a body whose members, or a majority of whose members, are appointed by the Governor or a Minister of the Crown; or*
- (g) a Government Business Enterprise within the meaning of the Government Business Enterprises Act 1995; or*
- (h) a council-owned company; or*
- (i) a State-owned company;”*

Section 6 provides that the Act does not apply to certain persons or bodies which may otherwise be considered public authorities, but that the exclusion is limited:

“6(1) This Act does not apply to information in the possession of the following persons or public authorities, or in the possession of a person whose services are provided or procured for the purposes of assisting the person or public authority, unless the information relates to the administration of the relevant public authority:

- (a) the Governor;*
- (b) a court;*
- (c) a tribunal;*
- (d) the Integrity Commission;*
- (e) a judge;*
- (f) an associate judge;*
- (g) a magistrate;*
- (h) the Solicitor-General;*
- (i) the Director of Public Prosecutions;*
- (j) the Ombudsman;*
- (ja) the Custodial Inspector;*
- (k) the Auditor-General;*

- (ka) the Legal Profession Board of Tasmania;*
- (l)*
- (la) the Parole Board;*
- (m) the Anti-Discrimination Commissioner;*
- (ma) the Commissioner for Children and Young People;*
- (n) the Public Guardian;*
- (o) the Health Complaints Commissioner;*
- (p) Parliament;*
- (q) a Member of Parliament.”*

An exclusion also applies to the Law Society of Tasmania in relation to the performance and exercise of the Society's functions and powers relating to trust accounts, trust monies and disciplinary proceedings.

The information in this Report from public authorities is generally categorised under the groupings of 'Government Departments', 'Councils' and 'Other Public Authorities'. Ministers are also a separate category.

1.3 Decision Makers

The Act requires that decisions in respect of requests made under the Act for the provision of information (or for amendment of information) are to be made by the responsible Minister, the principal officer of a public authority, or a delegated officer.

Under section 21 of the Act, the responsible Minister and the principal officer of each public authority are automatically designated as decision makers. Section 24 allows the Minister or principal officer of a public authority to delegate decision-making powers.

1.4 Data Contained within this Annual Report

Apart from information relating to external reviews by the Ombudsman, the statistics and data contained in this Report are taken directly from returns from public authorities on their own activities under the Act for the year 2019-20. The Report is compiled by the Department of Justice from the information provided to it by those authorities. The Department does not validate or audit the data. However, where necessary, discussions are held with public authorities to ensure a consistent approach to the data provided.

1.5 Format of Report

Section 53 of the Act provides, in part:

“53. Reporting

- (1) *The Secretary of the Department must, as soon as practicable after the end of each financial year, prepare a report on the administration of this Act showing, in particular –*
- (a) *the number of applications made under Part 2 and the public authorities or Ministers that received the applications; and*
 - (b) *the number of applications under Part 2 that were refused and the provisions of this Act under which they were refused; and*
 - (c) *the number of applications under this Act where the information requested was exempt information or part of the information was exempt information and the provision under which it was exempt; and*
 - (d) *the number of applications for internal review under section 43 and the results of those applications; and*
 - (e) *a list of the Acts and sections of those Acts which exempt information or public authorities from the provisions of this Act; and*
 - (f) *the number of applications for review made to the Ombudsman under Part 4 and the results of those applications.*
- (2) *The Secretary of the Department must give the report prepared in accordance with subsection (1) to the Minister who must table it in both Houses of Parliament within 10 sitting-days of its receipt.”*

Comparative figures are provided for the key statistics and summary categories (Overall, Government Departments, Councils, Other Public Authorities and Ministers). Appendices 2 and 3 of the Report provide data related to 2019-20 for each individual entity. Data relating to previous years for those entities may be obtained by examining earlier annual reports.

This financial year, changes in the collection of right to information statistics relating to Ministers have been implemented. In previous years, where a Minister received a right to information request and referred it to a Department for determination under a delegation, those requests have been recorded and reported within the relevant Department’s statistical returns. Departments are now reporting separately on those requests dealt with under delegation to provide a more comprehensive picture of those applications and their outcomes.

Information about external reviews conducted by the Ombudsman was provided by the Office of the Ombudsman.

2 KEY STATISTICS

The following table provides a snapshot of the activity under the Act for the past three financial years.

Table 1: Key Statistics

Total Number	2017-18	2018-19	2019-20
Applications received ¹	873	859	1037
Applications determined ²	785	797	867
Applications where information granted in full	248	238	281
Applications where information granted in part	354	316	405
Applications refused ³	198	243	181
Applications for which exemptions were used ⁴	426	316	430
Applications that took less than 20 working days to be determined	561	578	645
Applications that took more than 20 working days to be determined	201	219	222
Internal reviews determined	55	52	59
External (Ombudsman) reviews determined	49 ⁵	39 ⁶	46 ⁷

¹ Application means an application made under Part 2 of the Act.

² An application may be determined by an authority making a decision to provide the information requested in full or part; to not provide the information because it is exempt; or that no information relevant to the application is in the possession of the authority; or the application is transferred, deferred or refused for another reason permitted under the Act.

³ Refused under sections 9, 10, 12, 19 and 20 of the Act.

⁴ The number of applications in which one or more exemptions were claimed has been counted.

⁵ Ombudsman Tasmania Annual Report 2017-18 Appendix B.

⁶ Ombudsman Tasmania Annual Report 2018-19 Appendix B.

⁷ Ombudsman Tasmania Annual Report 2019-20, Appendix B.

3 NUMBERS OF APPLICATIONS

Section 53(1)(a) of the Act requires that the Report shows the number of applications (for assessed disclosure) made under Part 2 of the Act and the public authorities or Ministers that received those applications.

This section provides summary data about applications received and determined during the year. The number of the applications received and determined by each individual entity is shown in Appendix 2.

Table 2 below shows that the number of applications received during the year, including a comparison with 2017-18 and 2018-19. Consistent with previous years, the majority of the applications received during 2019-20 were made to Government Departments.

Table 2: Applications Received

Type of Entity	Applications Received 2017-18	Applications Received 2018-19	Applications Received 2018-20
Government Departments	579	606	730
Ministers ⁸	4	0	22
Councils	134	145	177
Other Public Authorities	156	108	108
All Entities	873	859	1037

⁸ Minister's offices may process their own applications or the relevant Government Department may manage the Right to Information processes by way of a delegation from the Minister.

Table 3 shows the number of applications determined during the year including a comparison with 2017-18 and 2018-19. Some applications decided would have been received in the previous financial year and some received during the year will be determined in the next financial year.

Table 3: Applications Determined

Type of Entity	Applications Determined 2017-18	Applications Determined 2018-19	Applications Determined 2019-20
Government Departments	526	565	601
Ministers	4	0	19
Councils	109	140	153
Other Public Authorities	146	92	94
All Entities	785	797	867

4 OUTCOME OF APPLICATIONS

Sections 53(1)(b) and (c) of the Act require that the Report shows:

- (b) the number of applications under Part 2 that were refused and the provisions of the Act under which they were refused; and
- (c) the number of applications under the Act where the information requested was exempt information or part of the information was exempt information, and the provision under which it was exempt.

There are, however, a variety of outcomes possible following receipt by an entity of an application under Part 2 of the Act. These include:

- The provision of all the information sought by an application.
- The non-disclosure of some or all of the information sought by an application as it is exempt information by virtue of the provisions of Part 3 of the Act.
- Non-acceptance of the application because the relevant fee is not paid or the application is flawed because it is not in writing or does not contain the minimum information prescribed in the Regulations⁹.
- Transfer of the application, or part of it, to another entity under section 14 of the Act.
- Deferment of the provision of the information sought under an application under section 17 of the Act.
- The withdrawal of an application by the applicant.
- Refusal of some or all of the application for a reason under one of the following sections of the Act:
 - The information requested was already available for inspection or purchase (section 9);
 - The information requested cannot be produced using normal computer means and producing it would substantially and unreasonably divert resources (section 10);
 - The information requested was or is to be disclosed by other means, e.g. by active or routine disclosure (section 12);
 - Providing the information requested would substantially and unreasonably divert resources (section 19);

⁹ Right to Information Regulations 2010

- The information requested is a repeat of a previous application (section 20(a)); or
- The application for information is vexatious or lacks definition even after negotiation (section 20(b)).

Table 4 provides summary information about the outcome of applications dealt with by entities in 2019-20.

Table 4: Outcome of Applications – Summary

Type of Entity	Information provided in full	Exemptions Applied	Transfer	Deferral	Refusal	Withdrawal	Other ¹⁰
Government Departments	170	303	23	2	54	13	80
Ministers	8	9	3	0	2	0	2
Councils	76	51	2	0	18	6	13
Other Public Authorities	27	67	0	0	1	4	2
All Entities	281	430	28	2	75	23	97

The outcome of the applications received and determined by each individual entity is shown in Appendix 2.

4.1 Refusals

An outcome of a request for assessed disclosure may be that the application is refused under one or more of the following sections of the Act:

- That the information may be purchased at a reasonable cost in accordance with arrangements made by a public authority (section 9(b)).
- That the information is stored in electronic form, cannot be produced using the normal computer hardware and software and technical expertise of the public authority, and producing it would substantially and unreasonably divert the resources of the public authority from its usual operations (section 10(1)).
- That the information is only held in a back-up system (section 10(2)).
- That the information is otherwise available (section 12(3)(c)(1)).

¹⁰ Other – information sought in an application was not in the possession of the agency or Minister or information related to an excluded person or body under section 6 of the Act.

- That the information will become available, in accordance with a decision that was taken before receipt of the application, as a required or routine disclosure, within a period of time specified by the public authority or Minister, but not exceeding 12 months from the date of the application (section 12(3)(c)(ii)).
- In the case of information sought from a public authority, that the work involved in providing the information requested would substantially and unreasonably divert the resources of the authority from its other work, having regard to the matters specified in Schedule 3 (section 19(1)(a), but subject to the obligation in section 19(2)).
- In the case of information sought from a Minister, that the work involved in providing the information requested would interfere substantially and unreasonably with the performance by the Minister of the Minister's other functions, having regard to the matters specified in Schedule 3 (section 19(1)(b), but subject to the obligation in section 19(2)).
- That the information is the same or similar to information sought under a previous application to a public authority or Minister and the application does not, on its face, disclose any reasonable basis for again seeking access to the same or similar information (section 20(a)).
- That the application is, in the opinion of the public authority or Minister, vexatious (section 20(b)).

Table 5 shows data regarding the reasons why applications or parts of applications were refused by entities in 2019-20.

Table 5: Reasons for Refusal - Summary

Type of Entity	Information already available for purchase (s9)	Not available normal computer means (s10)	Information already available (s12)	Unreasonable diversion of resources (s19)	Repeat (s20(a))	Vexatious/lack of definition (s20(b))
Government Departments	22	0	14	11	7	0
Ministers	0	0	0	2	0	0
Councils	8	1	5	1	3	1
Other Public Authorities	1	0	0	0	0	0
All Entities	31	1	19	14	10	1

The reasons why applications or part of applications were refused by each individual entity are shown in Appendix 2.

4.2 Exemptions

The Act has a number of provisions that exempt certain types of information from release under the Act. However, the application of exemptions may not necessarily result in non-disclosure of all information sought by an application. In some cases, an RTI decision-maker's determination may exclude from release parts of documents that are not relevant to or necessarily part of the request. When information is redacted from released material, the exemption is recorded in a written decision to the applicant.

The way in which the data for the Report is collected does not explain the reasons particular exemptions are applied to the redacted documents. For example, a document may be exempt under section 35 (internal deliberative information) but this report will not explain how or why that document was considered to be exempt. Details about why information is exempt are explained in written decisions provided to the applicant.

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

- Section 25 - Executive Council information
- Section 26 - Cabinet information
- Section 27 - Internal briefing information of a Minister
- Section 28 - Information not relating to official business
- Section 29 - Information affecting national or state security, defence or international relations
- Section 30 - Information relating to enforcement of the law
- Section 31 - Legal professional privilege
- Section 32 - Information related to closed meetings of council
- Section 34 - Information communicated by other jurisdictions
- Section 35 - Internal deliberative information
- Section 36 - Personal information of person
- Section 37 - Information relating to business affairs of third party
- Section 38 - Information relating to business affairs of public authority
- Section 39 - Information obtained in confidence
- Section 40 - Information on procedures and criteria used in certain negotiations of public authority
- Section 41 - Information likely to affect State economy
- Section 42 - Information likely to affect cultural, heritage and natural resources of the State

The exemptions provided for in sections 34 to 42 are subject to a public interest test.

Table 4: 'Outcome of Applications – Summary' shows the **number of applications** determined by entities in 2019-20 to which one or more exemptions were applied. The numbers of exemptions claimed for this financial year are shown in Table 6: 'Exemptions Used'.

Section 36 was the most frequently applied exemption. Because documents containing information requested by an applicant often include information that relates to a third party, the names and other identifying or personal information of the third party may be redacted from the released documents. This will generally be recorded as an exemption under section 36 having been applied to the document.

Where an application is received and the information requested contains third party content, sections 36 or 37 provide for the decision maker to consult with that third party¹¹. In the case of section 36, the disclosure of information must only cause a 'concern' to the third party. In the case of section 37, the disclosure of information must be expected to cause a 'substantial concern'. The next most frequent exemptions claimed are section 35 (Internal deliberative information) and section 30 (Information relating to enforcement of the law).

Table 6: Exemptions Used - Summary

Type of Entity	s.25	s.26	s.27	s.28	s.29	s.30	s.31	s.32	s.34	s.35	s.36	s.37	s.38	s.39	s.40	s.41	s.42
Government Departments	1	8	25	0	2	110	11	0	6	139	232	23	4	36	2	2	1
Ministers	0	0	3	0	0	0	0	0	0	3	6	1	0	2	0	1	0
Councils	2	0	0	0	0	5	8	10	0	5	28	10	3	4	0	0	0
Other Public Authorities	0	0	3	0	0	0	12	0	0	7	48	9	8	4	2	0	0
All Entities	3	8	31	0	2	115	31	10	6	154	314	43	15	46	4	3	1

The exemptions claimed by individual entities during 2019-20 are shown in Appendix 2.

¹¹ only if practicable in the case of section 36

5 TIMEFRAMES FOR DECISIONS

Section 15 of the Act requires an entity to notify an applicant of its decision in respect of an application for information, within 20 working days of the application being accepted. This timeframe starts when an application is received with the correct application fee, or a decision is made to waive the fee and the negotiation period, if any, is completed.

The period within which an application must be decided may also be extended by agreement with the applicant (see Section 15(4)(a)) or by the Ombudsman (Section 15(4)(b)) based on an application from the public authority. The 20 working day processing period may be extended by a further period of 20 working days if there is a need to consult a third party in accordance with sections 36 or 37 (see Section 15(5)).

Tables 7a and 7b show a summary of the time taken by entities to make determinations about applications, and the reasons an extension may have been required for consultation. Information about individual entities is provided in Appendix 2.

Table 7a: Time taken to determine applications – Summary for 20 working days or less

Type of Entity	Total applications determined	Determined within 20 working days
Government Departments	601	456
Ministers	19	8
Councils	153	101
Other Public Authorities	94	80
All Entities	867	645

Table 7b: Time taken to determine applications – Summary for more than 20 working days

Type of Entity	s 15(4)(a)	s 15(4)(b)	s 15(5)	Other reason	Total Determined
Government Departments	43	6	38	58	145
Ministers	3	0	4	4	11
Councils	10	2	11	29	52
Other Public Authorities	5	0	8	1	14
All Entities	61	8	61	92	222

6 REVIEWS OF DECISIONS

Sections 53(1)(d) and (f) of the Act requires that the Report shows:

- (d) the number of applications for internal review under section 43 and the results of those applications; and
- (f) the number of applications for review made to the Ombudsman under Part 4 and the results of those applications.

6.1 Internal Reviews

The Act provides a number of avenues for review to an applicant who is not satisfied that a public authority has made a proper search or released all the information which the applicant has sought, or to which the applicant claims to be entitled. The applicant can also challenge exemptions or exceptions used by the agency. Reviews may be sought within the agency or by the Ombudsman.

A request for a review of a decision can be made to the principal officer by an original applicant, or by an external party in relation to a decision to release information concerning personal information of a person, or by an external party in relation to a decision to release information concerning the business affairs of that third party. In these instances, the principal officer must, as soon as practicable, review the decision and make a fresh decision, or arrange for a delegated officer (other than the delegated officer who made the original decision) to review the decision and make a fresh decision.

Section 43 sets out the basis on which applications for internal review of decisions can be made.

Where the decision maker has not provided a decision within the time limit set by the Act, a request for a review may be made directly to the Ombudsman.

Table 8 shows data about the number of internal reviews requested and determined in 2019-20. Information for individual authorities is shown in Appendix 3.

Table 8: Internal Reviews – Summary - Applications Received and Determinations¹²

Type of Entity	Applications Received	Applications determined	Determinations upheld in full	Determinations upheld in part	Determinations reversed in full	Resolved by other means
Government Departments	35	33	22	10	0	1
Ministers	0	0	0	0	0	0
Councils	17	17	16	0	0	1
Other Public Authorities	9	9	5	3	0	1
All Entities	61	59	43	13	0	3

6.2 Ombudsman Reviews

External review rights arise when internal review possibilities are exhausted. This occurs where an internal review has been applied for and either that decision has been made and communicated to the applicant, or has not been made and the time to make that decision has expired.

A series of other decisions made under this Act are reviewable by the Ombudsman if an application for review has been made within 20 days of the applicant or third party being notified of the decision.

Section 44 sets out the basis on which applications for external review of decisions can be made.

Tables 9 and 10 show data provided by the Office of the Ombudsman about the number of Ombudsman reviews received and determined in 2019-20. Information for individual entities is shown in Appendix 4.

¹² Some reviews determined would have been requested in the previous financial year

Table 9: RTI External Review Applications Received and Closed by Ombudsman Tasmania¹³

Type of Entity	Applications Received 2019-20 ¹⁴	Closed 2019-20 ¹⁵	Reviews Undertaken ¹⁶
Government Departments	32	29	17
Ministers	0	0	0
Councils	26	13	2
Other Public Authorities	7	4	2
All Entities	65	46	21

Table 10: RTI External Reviews closed by Ombudsman Tasmania – Outcomes Summary

Ombudsman Decision	2018-19	2019-20
Authority Decision Affirmed	2	1
Authority Decision Varied	4	16
Authority Decision Set Aside	2	4
Other ¹⁷	31	25
Total	39	46

¹³ Some reviews determined would have been requested in the previous financial year.

¹⁴ Every request that was made to the Office of the Ombudsman, regardless of whether the Office was able to investigate the matter.

¹⁵ Closed includes out of jurisdiction and those that did not need to proceed to a formal decision.

¹⁶ Reviews undertaken are the full formal external review decisions completed

¹⁷ Other includes matters not progressed, withdrawn by applicant, negotiated resolution, information released and/or direction for a new decision to be made or information released.

APPENDIX 1 – ENTITIES SURVEYED FOR 2019–20

Government Departments

- Department of Communities Tasmania
- Department of Education
- Department of Health
- Department of Justice
- Department of Police, Fire and Emergency Management
- Department of Premier and Cabinet
- Department of Primary Industries, Parks, Water and Environment
- Department of State Growth
- Department of Treasury and Finance

Councils

- 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
- Kingborough Council
- King Island 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

Other Public Authorities

Aurora Energy
Commissioner for Children and Young People
Copping Refuse Disposal Site Joint Authority (trading as Southern Waste Solutions)
Dulverton Regional Waste Management Authority
Equal Opportunity Tasmania
Forest Practices Authority
Hydro Electric Corporation (Hydro Tasmania)
Inland Fisheries Service
Liquor and Gaming Commission
Local Government Association of Tasmania
Macquarie Point Development Commission
Marine and Safety Tasmania
Metro Tasmania Pty Ltd
Motor Accidents Insurance Board
Office of Tasmanian Assessment, Standards and Certification
Office of the Superannuation Commission
Office of the Tasmanian Economic Regulator
Port Arthur Historic Site Management Authority
Private Forests Tasmania
Property Agents Board
Royal Tasmanian Botanical Gardens
State Grants Commission
Sustainable Timber Tasmania (previously Forestry Tasmania)
Tasmania Legal Aid (previously Legal Aid Commission of Tasmania)
Tasmanian Building and Construction Industry Training Board
Tasmanian Irrigation Pty Ltd
Tasmanian Networks Pty Ltd
Tasmanian Pharmacy Authority
Tasmanian Public Finance Corporation
Tasmanian Ports Corporation Pty Ltd
TasRacing Pty Ltd
TasRail Tasmanian Railways Ltd
TasTAFE
TasWater Tasmanian Water and Sewerage Corporation
Teachers Registration Board of Tasmania
The Public Trustee
Tourism Tasmania

TT Line
University of Tasmania
Veterinary Board Tasmania
Wellington Park Management Trust

APPENDIX 2 – DETAILED STATISTICS – INDIVIDUAL ENTITIES – APPLICATIONS

Tables 11 to 14 outline the number of applications received and the outcomes for all entities. Entities are displayed in Tables 11 to 14 even where a nil return was received.

From Table 15 onwards, entities are displayed only where there are outcomes to report.

Table 11 - Individual Entities - Applications: Departments - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemption	Exemptions used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Communities Tasmania	27	17	10	6	5	35, 36, 37, 39	0	0	0	0	2	12	0
Education	52	48	14	30	30	27, 29, 30, 31, 35, 36, 38	3	0	0	0	1	19	0
Health	59	27	7	6	13	30, 34, 35, 36, 39	6	0	0	0	4	12, 19	1
Justice	92	82	36	22	18	27, 29, 30, 35, 36, 37, 39	5	2	15	0	5	12, 20(a)	1
Police Fire and Emergency Management	342	291	46	163	181	26, 27, 30, 31, 34, 35, 36, 37, 39	36	17	3	0	28	9, 12, 19, 20(a)	5
Premier and Cabinet	14	16	6	4	5	25, 26, 30, 31, 35, 36, 40	1	0	2	0	1	19	1
Primary Industries, Parks, Water and Environment	75	69	36	30	29	27, 30, 31, 35, 36, 37, 39, 42	3	0	2	0	9	9, 12, 19	1
State Growth	52	35	14	12	14	26, 27, 31, 34, 35, 36, 37, 38, 39, 40	4	0	0	0	3	12, 20(a)	2
Treasury and Finance	17	16	1	6	8	26, 30, 35, 36, 37, 39, 41	3	0	1	2	1	19	2

Table 12 - Individual Entities - Applications: Ministers - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemptions used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Attorney-General	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Deputy Premier	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Aboriginal Affairs	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Advanced Manufacturing and Defence Industries	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Building and Construction	1	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Climate Change	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Corrections	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Disability Services and Community Development	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Education and Training	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Energy	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Environment and Parks	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Finance	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Health	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Heritage	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Housing	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Human Services	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Infrastructure and Transport	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Justice	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Local Government	1	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Mental Health and Wellbeing	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Planning	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemptions used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Minister for Police, Fire and Emergency Management	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Primary Industries and Water	3	3	1	2	2	27, 35, 36, 39	0	0	0	0	0	N/A	0
Minister for Racing	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Resources	3	1	0	1	1	39	0	0	0	0	0	N/A	0
Minister for Science and Technology	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Small Business	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Sport and Recreation	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for State Growth	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Strategic Growth	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for the Arts	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for the Prevention of Family Violence	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Tourism	0	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Trade	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Veterans' Affairs	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Minister for Women	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Premier	8	8	3	3	3	35, 36	1	0	2	0	1	19	0
Treasurer	5	5	2	2	3	27, 35, 36, 37, 41	1	0	1	0	1	19	0

Table 13 - Individual Entities - Applications: Councils - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemptions used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Break O'Day Council	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Brighton Council	5	5	5	0	0	N/A	0	0	0	0	0	N/A	0

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemptions used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Burnie City Council	7	7	1	5	5	36, 37	1	0	1	0	0	N/A	0
Central Coast Council	2	2	1	0	1	36	0	0	0	0	0	N/A	0
Central Highlands Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Circular Head Council	3	3	2	0	0	N/A	0	0	1	0	0	N/A	0
Clarence City Council	3	2	0	2	2	25, 31, 32, 35	0	0	0	0	0	N/A	0
Derwent Valley Council	5	5	4	1	1	30	0	0	0	0	1	12	0
Devonport City Council	12	10	8	1	2	30, 31, 32	0	0	0	0	0	N/A	0
Dorset Council	4	3	0	1	0	N/A	0	0	0	0	2	12, 19	0
Flinders Council	1	1	0	1	0	N/A	1	0	0	0	0	N/A	0
George Town Council	1	1	0	0	0	N/A	1	0	0	0	0	N/A	0
Glamorgan/Spring Bay Council	8	9	4	4	5	31, 32, 36, 37, 39	0	0	0	0	0	N/A	0
Glenorchy City Council	19	18	6	10	8	32, 36	1	0	0	0	1	20(a)	0
Hobart City Council	46	39	27	8	4	31, 36, 37	3	0	0	0	8	9, 12	1
Huon Valley Council	10	8	1	7	7	30, 32, 36, 37, 39	0	0	0	0	2	9, 12	0
Kentish Council	3	3	1	2	2	30, 31, 36	0	0	0	0	0	N/A	0
King Island Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Kingborough Council	6	5	3	0	0	N/A	2	0	0	0	0	N/A	0
Latrobe Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Launceston City Council	21	10	1	5	6	30, 35, 36, 37, 38	2	0	0	0	2	20(a)	5
Meander Valley Council	3	3	1	2	2	36, 37, 38, 39	0	0	0	0	0	N/A	0
Northern Midlands Council	4	4	3	0	0	N/A	0	0	0	0	1	20(b)	0
Sorell Council	4	4	2	2	2	35, 36	1	0	0	0	0	N/A	0
Southern Midlands Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasman Council	2	3	1	2	2	31, 35, 36	0	0	0	0	0	N/A	0
Waratah-Wynyard Council	2	2	0	0	1	32	1	0	0	0	1	10	0
West Coast Council	1	1	0	1	1	36, 37	0	0	0	0	0	N/A	0
West Tamar Council	4	4	4	0	0	N/A	0	0	0	0	0	N/A	0

Table 14 - Individual Entities - Applications: Other Authorities - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemption used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Aurora Energy	1	1	0	1	1	37, 38	0	0	0	0	0	N/A	0
Commissioner for Children and Young People	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Dulverton Waste Management Authority	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Equal Opportunity Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Forest Practices Authority	2	2	2	0	0	N/A	0	0	0	0	0	N/A	0
Hydro Electric Corporation (Hydro Tasmania)	1	1	0	1	1	36	1	0	0	0	1	9	0
Inland Fisheries Service	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Liquor and Gaming Commission	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Local Government Association of Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Macquarie Point Development Commission	1	1	0	1	1	35, 37, 38, 40	0	0	0	0	0	N/A	0
Marine and Safety Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Metro Tasmania Pty Ltd	1	0	0	0	0	N/A	0	0	0	0	0	N/A	1
Motor Accidents Insurance Board	52	44	8	36	36	31, 36	0	0	0	0	0	N/A	3
Office of Tasmanian Assessment, Standards and Certification	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Office of the Superannuation Commission	2	2	1	1	1	36	0	0	0	0	0	N/A	0
Office of the Tasmanian Economic Regulator	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Port Arthur Historic Site Management Authority	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Private Forests Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Property Agents Board	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Royal Tasmanian Botanical Gardens	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	Exemption used (section)	Not in possession (ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reasons	withdrawn
Southern Waste Solutions (Copping Refuse Disposal Site Joint Authority)	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
State Grants Commission	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Sustainable Timber Tasmania (prev Forestry Tasmania)	5	4	0	4	4	27, 35, 36	0	0	0	0	0	N/A	0
Tasmania Legal Aid (Legal Aid Commission of Tasmania)	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Building and Construction Industry Training Board	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Irrigation Pty Ltd	1	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Networks Pty Ltd	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Pharmacy Authority	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Ports Corporation Pty Ltd	2	2	0	1	2	35, 36, 39	1	0	0	0	0	N/A	0
Tasmanian Public Finance Corporation	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Railways Ltd	4	4	0	4	4	27, 35, 37, 38	0	0	0	0	0	N/A	0
Tasmanian Water and Sewerage Corporation	9	10	9	1	1	36, 37, 40	0	0	0	0	0	N/A	0
TasRacing Pty Ltd	3	1	1	0	0	N/A	0	0	0	0	0	N/A	0
TasTAFE	8	8	4	2	4	35, 38	0	0	0	0	0	N/A	0
Teachers Registration Board of Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
The Public Trustee	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tourism Tasmania	1	1	0	1	1	27, 35, 37, 38, 39	0	0	0	0	0	N/A	0
TT Line	2	2	1	1	1	31, 37	0	0	0	0	0	N/A	0
University of Tasmania	9	8	0	8	8	35, 36, 37, 38, 39	0	0	0	0	0	N/A	0
Veterinary Board Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Wellington Park Management Trust	3	2	0	2	2	36	0	0	0	0	0	N/A	0

Table 15 - Individual Entities - Applications: Departments - Time Taken

Entity	Applications Determined	1-20 working days	More than 20 working days	> 20 days + 15(4)(a)	>20 days + 15(4)(b)	>20 + 15(5)
Communities Tasmania	17	12	5	1	0	0
Education	48	25	23	17	1	2
Health	27	10	17	2	4	0
Justice	82	56	26	5	0	0
Police Fire and Emergency Management	291	279	12	1	1	1
Premier and Cabinet	16	10	6	2	0	4
Primary Industries, Parks, Water and Environment	69	39	30	7	0	23
State Growth	35	16	19	3	0	6
Treasury and Finance	16	9	7	5	0	2

Table – 16 Individual Entities - Applications: Ministers - Time Taken

Entity	Applications Determined	1-20 working days	More than 20 working days	> 20 days + 15(4)(a)	>20 days + 15(4)(b)	>20 + 15(5)
Minister for Infrastructure and Transport	1	0	1	0	0	0
Minister for Primary Industries and Water	3	1	2	0	0	1
Minister for Resources	1	0	1	0	0	0
Minister for Tourism	1	0	1	0	0	0
Premier	8	4	4	1	0	3
Treasurer	5	3	2	2	0	0

Table 17 - Individual Entities - Applications: Councils - Time Taken

Entity	Applications Determined	1-20 working days	More than 20 working days	> 20 days + 15(4)(a)	>20 days + 15(4)(b)	>20 + 15(5)
Break O'Day Council	1	1	0	0	0	0
Brighton Council	5	5	0	0	0	0
Burnie City Council	7	5	2	2	0	0
Central Coast Council	2	1	1	0	0	1
Circular Head Council	3	3	0	0	0	0
Clarence City Council	2	2	0	0	0	0
Derwent Valley Council	5	5	0	0	0	0
Devonport City Council	10	9	1	0	0	1
Dorset Council	3	3	0	0	0	0
Flinders Council	1	1	0	0	0	0
George Town Council	1	1	0	0	0	0
Glamorgan/Spring Bay Council	9	5	4	2	0	2
Glenorchy City Council	18	15	3	0	0	3
Hobart City Council	39	8	31	0	0	2
Huon Valley Council	8	7	1	1	0	0
Kentish Council	3	3	0	0	0	0
Kingborough Council	5	5	0	0	0	0
Launceston City Council	10	5	5	3	0	2
Meander Valley Council	3	2	1	0	1	0
Northern Midlands Council	4	4	0	0	0	0
Sorell Council	4	4	0	0	0	0
Tasman Council	3	0	3	2	1	0
Waratah-Wynyard Council	2	2	0	0	0	0
West Coast Council	1	1	0	0	0	0
West Tamar Council	4	4	0	0	0	0

Table 18 - Individual Entities - Applications: Other Authorities - Time Taken

Entity	Applications Determined	1-20 working days	More than 20 working days	> 20 days + 15(4)(a)	>20 days + 15(4)(b)	>20 + 15(5)
Aurora Energy	1	0	1	0	0	1
Forest Practices Authority	2	2	0	0	0	0
Hydro Electric Corporation (Hydro Tasmania)	1	1	0	0	0	0
Macquarie Point Development Commission	1	1	0	0	0	0
Motor Accidents Insurance Board	44	43	1	1	0	0
Office of the Superannuation Commission	2	2	0	0	0	0
Sustainable Timber Tasmania (prev Forestry Tasmania)	4	1	3	0	0	3
Tasmanian Networks Pty Ltd	1	1	0	0	0	0
Tasmanian Ports Corporation Ltd	2	2	0	0	0	0
Tasmanian Railways Ltd	4	2	2	0	0	2
Tasmanian Water and Sewerage Corporation	10	6	4	3	0	0
TasRacing Pty Ltd	1	1	0	0	0	0
TasTAFE	8	8	0	0	0	0
Tourism Tasmania	1	0	1	0	0	1
TT Line	2	1	1	1	0	0
University of Tasmania	8	8	0	0	0	0
Wellington Park Management Trust	2	1	1	0	0	1

APPENDIX 3 – DETAILED STATISTICS– INDIVIDUAL ENTITIES – INTERNAL REVIEWS

Table 19 - Individual Entities – Internal Reviews - Departments

Entity	Requested	Determined	Upheld in Full	Upheld in part	Reversed in full	Resolved by other means
Communities Tasmania	2	1	1	0	0	0
Education	6	4	2	2	0	0
Health	2	2	2	0	0	0
Justice	4	4	3	0	0	1
Police Fire and Emergency Management	8	10	7	3	0	0
Premier and Cabinet	1	0	0	0	0	0
Primary Industries, Parks, Water and Environment	6	6	3	3	0	0
State Growth	4	4	3	1	0	0
Treasury and Finance	2	2	1	1	0	0

Table 20 - Individual Entities – Internal Reviews – Councils

Entity	Requested	Determined	Upheld in Full	Upheld in part	Reversed in full	Resolved by other means
Central Coast Council	1	1	1	0	0	0
Devonport City Council	5	5	5	0	0	0
Dorset Council	2	2	2	0	0	0
Glamorgan/Spring Bay Council	1	1	1	0	0	0
Glenorchy City Council	2	2	2	0	0	0
Hobart City Council	1	1	1	0	0	0
Huon Valley Council	3	3	2	0	0	1
Launceston City Council	1	1	1	0	0	0
Northern Midlands Council	1	1	1	0	0	0

Table 21 - Individual Entities – Internal Reviews - Other Authorities

Agency	Requested	Determined	Upheld in Full	Upheld in part	Reversed in full	Resolved by other means
Aurora Energy	1	1	1	0	0	0
Office of the Superannuation Commission	1	1	0	1	0	0
Sustainable Timber Tasmania (prev Forestry Tasmania)	1	1	1	0	0	0
Tasmanian Ports Corporation Pty Ltd	1	1	0	0	0	1
Tasmanian Railways Ltd	1	1	0	1	0	0
TasTAFE	2	2	2	0	0	0
University of Tasmania	2	2	1	1	0	0

APPENDIX 4 – DETAILED STATISTICS– INDIVIDUAL ENTITIES – OMBUDSMAN EXTERNAL REVIEWS

Table 22 - Individual Entities – Ombudsman Reviews – Departments¹⁸

Entity	Applications Received 2019-20	Closed 2019-20	Reviews Undertaken	Agency Decision Affirmed
Communities Tasmania	2	2	1	0
Economic Development, Tourism and the Arts	1	0	0	0
Education	5	1	1	0
Health	1	3	1	0
Health (THS)	1	0	0	0
Justice	6	6	2	1
Police, Fire and Emergency Management	4	8	6	0
Primary Industries, Parks, Water and Environment	7	9	6	0
State Growth	4	0	0	0
Treasury and Finance	1	0	0	0

Table 23 - Individual Entities – Ombudsman Reviews – Councils¹⁹

Entity	Applications Received 2019-20	Closed 2019-20	Reviews Undertaken	Authority Decisions Affirmed
Central Coast Council	2	2	0	0
Devonport City Council	2	0	0	0
Dorset Council	3	1	0	0
Glenorchy City Council	1	0	0	0
Hobart City Council	4	2	1	0
Kentish Council	2	0	0	0
Launceston City Council	2	1	1	0
Meander Valley Council	3	0	0	0
Northern Midlands Council	6	6	0	0
Tasman Council	1	0	0	0
West Tamar Council	0	1	0	0

¹⁸ Ombudsman Tasmania Annual Report 2019-2020, Appendix B.

¹⁹ Ombudsman Tasmania Annual Report 2019-2020, Appendix B.

Table 24 - Individual Entities – Ombudsman Reviews - Other Authorities²⁰

Entity	Applications Received 2019-20	Closed 2019-20	Reviews Undertaken	Authority Decisions Affirmed
Hydro	2	1	0	0
Sustainable Timbers Tasmania	1	0	0	0
Tasmanian Ports Corporation Pty Ltd	1	1	0	0
The Public Trustee	1	0	0	0
TT Line	1	1	1	0
University of Tasmania	1	1	1	0

²⁰ Ombudsman Tasmania Annual Report 2019-2020, Appendix B.

APPENDIX 5 – ACTS WHICH EXEMPT INFORMATION OR PUBLIC AUTHORITIES FROM THE PROVISIONS OF THE RTI ACT

Section 53(1)(e) of the Act requires that the Report shows a list of the Acts and sections of those Acts which exempt information or public authorities from the provisions of the RTI Act.

Act	Section	Provision
Aboriginal Lands Act 1995	Section 11(7)	The RTI Act does not apply to the Preliminary Roll or the Roll.
Child Care Act 2001	Section 65	The RTI Act does not apply to the identity of a person who made a notification of contravention of Act, Regulations or the conditions to which a licence is subject or any information contained in or relating to such a notification that may lead to the identification of that person.
Children, Young Persons and Their Families Act 1997	Section 16	The RTI Act does not apply to the identity of a person who provides the Secretary or a Community-Based Intake Service with a risk notification (a notifier) or any information contained in or relating to a risk notification that may lead to the identification of the notifier.
	Section 40(4)	The RTI Act does not apply in relation to (a) any report on a family group conference; or (b) the written record of the decision of a family group conference; or (c) the written report of a facilitator following the failure of a family group conference to reach a decision.
	Section 111A	The Secretary or Community-Based Intake Service must not provide information under the RTI Act if the information has been provided under this Act to the Secretary or Community-Based Intake Service by an information -sharing entity. Nothing in this section prevents a person from requesting, under the RTI Act, an information -sharing entity that has provided information to the Secretary or a Community-Based Intake Service to provide that information to the person.
Community Protection (Offender Reporting) Act 2005	Section 46	The RTI Act does not apply to any document or information referred to in this Act.
Coroners Act 1995	Section 53A	If the coroner reasonably believes it necessary for the purpose of an investigation, he or she may direct that the provision of specified information contained in records that are in the possession of a State Service Agency or a Minister and to which any person may otherwise be entitled under the RTI Act be deferred for a specified period.
Economic Regulator Act 2009	Section 28	The RTI Act does not apply in respect of (a) evidence and documents in respect of which a direction under subsection (4)(b) has been made; or (b) records of the giving or production of such evidence and documents.

Act	Section	Provision
	Section 32	The RTI Act does not apply in respect of (a) a direction in respect of the answer, document, other information or part has been given under subsection (2) and its provision to that person would contravene the direction; or (b) the answer, document, other information or part contains information which is exempt information under the RTI Act.
	Section 63	The RTI Act does not apply in respect of (a) any answer, document, other information or part of any answer, document or other information in respect of which a direction has been given under section 30(2), 41(1) or 56(2); and (b) records relating to the production of any such answer, document, other information or part.
Education and Care Services National Law (Application) Act 2011	Section 5	The RTI Act does not apply to the Education and Care Services National Law (Tasmania) or to instruments made under that Law.
Electricity Supply Industry Act 1995	Section 16 (2)	Information classified by the Regulator as confidential is not liable to disclosure under the RTI Act.
Energy Coordination and Planning Act 1995	Section 8N	Information provided to the Assessor or the Coordinator on a confidential basis is not liable to disclosure under the RTI Act.
Gaming Control Act 1993	Section 157	Notwithstanding anything contained in the RTI Act, if the Minister certifies that it is necessary in the public interest that specified information should be divulged to a court, or a person to whom information relates has expressly authorized it to be divulged to a court, a person may be required to produce in the court any document containing the information, or to divulge the information to the court.
Gas Industry Act 2019	Section 16(3)	Information classified by the Regulator as confidential is not liable to disclosure under the RTI Act.
	Section 105	Information that is classified by the Regulator as confidential is not liable to disclosure under the RTI Act.
Gas Safety Act 2019	Section 12(3)	Information classified by the Director as confidential is not liable to disclosure under the RTI Act.
	Section 99(5)	Information that is classified by the Director as confidential under section 12 is not liable to disclosure under the RTI Act.
Health Practitioner Regulation National Law (Tasmania) Act 2010	Section 7(h)	The RTI Act does not apply to the Health Practitioner Regulation National Law (Tasmania) or to instruments made under that Law.
Heavy Vehicle National Law (Tasmania) Act 2013	Section 6(f)	The RTI Act does not apply to the Heavy Vehicle National Law (Tasmania) or to instruments made under the Heavy Vehicle National Law (Tasmania). The RTI Act applies to a State entity, or an employee of a State entity, exercising a function under the Heavy Vehicle National Law (Tasmania).
Local Government Act 1993	Section 53B	A Register of Interests of Board Members kept under this section is exempt from the provisions of the RTI Act.
	Section 54A	A Register of Interests of Members kept under this section is exempt from the provisions of the RTI Act.
	Section 55	Any Register of Interests of Employees and General Manager kept under subsection 55(2)(b) is exempt from the provisions of the RTI Act.

Act	Section	Provision
	Section 55A	Any Register of Interests of employees of authorities kept under subsection 55A(3)(b) is exempt from the provisions of the RTI Act.
	Section 55D	A Register of interests of members of audit panel is exempt from the provisions of the RTI Act.
	Section 228	Any records and documents of a Board of Inquiry are exempt from the provisions of the RTI Act.
	Section 322	The provisions of the RTI Act do not apply to any electoral material.
Mineral Resources Development Act 1995	Section 124(4)	Any information obtained as a result of an assay or geoscientific investigation is exempt from the provisions of the RTI Act.
	Section 190	The RTI Act does not apply to any records, returns or information submitted to the Director under this Act for the period during which they are to be kept confidential under this section.
National Health Funding Administration Act 2012	Section 24(1)	The RTI Act does not apply to or in respect of the Administrator or any function exercised or performed by the Administrator.
Obstetric and Paediatric Mortality and Morbidity Act 1994	Section 15(7)	The RTI Act does not apply in relation to (a) any information that was provided to the Council, a committee, a member of the Council or a committee, an employee or a person under this Act; or (b) any information that was produced by the Council, a committee, a member of the Council or a committee, an employee or a person.
Ombudsman Act 1978	Section 33A	The RTI Act does not apply to information, as defined in that Act, in the possession of the Ombudsman or an officer of the Ombudsman if the information relates to a complaint, preliminary inquiries, an investigation, conciliation, report or recommendation made under this or any other Act.
Police Powers (Surveillance Devices) Act 2006	Section 5	The RTI Act does not apply to activities and records under this Act.
Public Interest Disclosures Act 2002	Section 90	The RTI Act does not apply to information contained in records in the possession of a public body that is a public authority under that Act to the extent to which the information discloses information (a) in relation to a disclosure made under Part 2 of this Act; or (b) likely to lead to the identification of a person who made a disclosure under Part 2 of this Act; or (c) likely to lead to the identification of a person against whom a disclosure under Part 2 under this Act is made.
Rail Safety National Law (Tasmania) Act 2012	Section 7	The RTI Act does not apply to this Act and the Rail Safety National Law (Tasmania) or to instruments made under that Law (except as applied under that Law). The RTI Act does apply to a State entity or an employee of a State entity exercising a function under the Rail Safety National Law (Tasmania).

Act	Section	Provision
Registration to Work with Vulnerable People Act 2013	Section 57	The RTI Act does not apply to information in the possession of an official for the purposes of this Act unless the information relates to the administration of a public authority within the meaning of that Act. Official means (a) the Registrar; or (b) an independent advisor; or (c) a person authorised by the Registrar under this Act to do or not do a thing; or (d) another person engaged in the administration of this Act.
Taxation Administration Act 1997	Section 76A	The RTI Act does not apply to information obtained under or in relation to the administration or execution of a taxation law.
	Section 79F	Any records or information obtained under this Part (dealing with Reciprocal Arrangements) or under a corresponding law, are exempt from the provisions of the RTI Act.
Taxi and Hire Vehicle Industries Act 2008	Section 66G(5)	The RTI Act does not apply in respect of evidence and documents in respect of which a direction under 66G(4) has been given and records of the giving or production of such evidence and documents.
Witness Protection Act 2000	Section 28	The RTI Act does not apply to (a) a document, whether created before, on or after the commencement of this section, to the extent that the document discloses information about (i) the identity or location of a person who is, or has been, a participant or a recognised participant; or (ii) the fact that a person has entered into a memorandum of understanding under section 8 or the details of a memorandum of understanding; or (iii) the making of an entry in the register of births or register of marriages under this Act; or (iv) anything done by a police officer or an approved authority or an officer of an approved authority under this Act or a complementary witness protection law; or (b) a document to the extent that the document discloses any information received by the Commissioner of Police from an approved authority under this Act or a complementary witness protection law.



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