

RIGHT TO INFORMATION

ANNUAL REPORT

on the administration of the *Right to Information Act*
2009 for the period 1 July 2017 – 30 June 2018

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25 January 2018

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 2018**

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 2018.

This is the seventh annual report on the administration of the Act.

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.



Kathrine Morgan-Wicks
Secretary

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1 INTRODUCTION

1.1 Object of the Act

The underlying purposes of the *Right to Information Act 2009* (the Act) are found 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.

In line with the title to the Act and section 7, 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 to the public the maximum amount of information, 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;
- (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 and trust monies, and also 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 about the outcomes of reviews by the Ombudsman, the statistics and data contained in this Report are taken directly from returns from public authorities about their own activities under the Act for the year 2017-18. 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 the data. However, discussions were held with some public authorities resulting in some editing to ensure a consistent approach to the data provided.

1.5 Format of Report

Section 53 of the Act provides:

“ 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, if they make their own decisions). Appendices 2 and 3 of the Report provide data related to 2017-18 for each individual entity. Data relating to previous years for those entities may be obtained by examining previous years' annual reports.

As was the case last year, the information about the outcomes of reviews conducted by the Ombudsman was provided by the office of the Ombudsman. In previous years that data was provided by each public authority. However, this approach had resulted in variations between this report and the Ombudsman's annual report. The Ombudsman is considered the authoritative source of this information.

2 KEY STATISTICS

The following table provides a snapshot of the activity under the Act for the year 2017-18. A comparison for the same information is provided for 2016-17.

Table 1: Key Statistics

Total Number	2016-17	2017-18
Applications received ¹	1 110	873
Applications determined ²	1 016	785
Applications where information granted in full	309	248
Applications where information granted in part	417	354
Applications refused ³	153	198
Applications for which exemptions were used ⁴	537	426
Applications that took less than 20 working days to be determined	702	561
Applications that took more than 20 working days to be determined that included a negotiated extension with an applicant, Ombudsman or third party	208	201
Internal reviews determined	66	55
External (Ombudsman) reviews determined	75 ⁵	49 ⁶

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 Annual Report 2016-17, Appendix B.

⁶ Ombudsman Tasmania Annual Report 2017-18 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, consistent with previous years, the majority of the applications accepted during 2017-18 were made to government departments. Applications to departments and directly to Ministers accounted for 67.5% of all applications made during the year, councils for 13.4%, and other public authorities for 19.1%.

Table 2: Applications Received - Summary

Type of Entity	Applications Received 2017-18
Government Departments	579
Ministers ⁷	4
Councils	134
Other Public Authorities	156
All Entities	873

Table 3 shows the number of applications determined during the year. Some applications decided would have been received in the previous financial year. Some of the applications received during the year will not have been decided this year and a decision will be made next financial year.

Table 3: Applications Determined - Summary

Type of Entity	Applications Determined 2017-18
Government Departments	526
Ministers	4
Councils	109
Other Public Authorities	146
All Entities	785

⁷ Some Minister's offices process their own applications, for others the relevant Government Department manages the Right to Information processes by way of a delegation from the Minister. In this case the Departmental information covers this activity.

Table 4 provides comparative information about the numbers of applications dealt with by entities in 2016-17 and 2017-18.

Table 4a: Numbers of Applications Received - comparison between 2017-18 and 2016-17

Type of Entity	2016-17	2017-18
Government Departments	738	579
Ministers	11	4
Councils	149	134
Other Public Authorities	212	156
All Entities	1 110	873

Table 4b: Numbers of Applications Determined - comparison between 2017-18 and 2016-17

Type of Entity	2016-17	2017-18
Government Departments	690	526
Ministers	4	4
Councils	132	109
Other Public Authorities	190	146
All Entities	1016	785

4 OUTCOME OF APPLICATIONS

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

- (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.

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 Regulations⁸.
- 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, eg by active or routine disclosure (section 12);
 - Providing the information requested would substantially and unreasonably divert resources (section 19);
 - 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 5 provides summary information about the outcome of applications dealt with by entities in 2017-18.

⁸ Right to Information Regulations 2010

Table 5: Outcome of Applications – Summary

Type of Entity	Information provided in full	Exemptions Applied	Transfer	Deferral	Refusal	Withdrawal	Other ⁹
Government Departments	96	319	33	4	79	26	43
Ministers	0	3	0	0	0	0	1
Councils	78	35	2	1	15	2	9
Other Public Authorities	74	69	10	3	9	5	4
All Entities	248	426	45	8	103	33	56

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).
- 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: s 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: s 19(1)(b), but subject to the obligation in section 19(2).

⁹ Other – information sought in an application did not related to official business, 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 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 6 shows data regarding the reasons why applications or parts of applications were refused for these reasons by entities in 2017-18.

Table 6: Reasons for Refusal - Summary

Type of Entity	Information already available for purchase (s9)	Not available normal computer means (s 10)	Information already available (s12)	Unreasonable diversion of resources (s 19)	Repeat (s 20(a))	Vexatious/lack of definition (s 20(b))
Government Departments	25	4	35	16	9	1
Ministers	0	0	0	0	0	0
Councils	2	1	3	5	4	1
Other Public Authorities	3	0	6	1	0	0
All Entities	30	5	44	22	13	2

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 which 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 deleted from or redacted in the material released due to an exemption, 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 how and why any information is exempt are normally explained in written decisions by the relevant decision-maker.

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 5: 'Outcome of Applications – Summary' shows the **number of applications** determined by entities in 2017-18 to which one or more exemptions were applied. In previous years the **total number of exemptions applied** was recorded. The numbers of exemptions claimed for this financial year are shown in Table 7: 'Exemptions Used'.

Section 36 was the most frequently applied exemption. Because documents containing information requested by the 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 party¹⁰. 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 30 (Information relating to enforcement of the law) and section 35 (Internal deliberative information).

Table 7: 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	0	6	19	1	1	127	16	0	5	105	207	12	3	27	4	0	0
Ministers	0	0	1	0	0	0	0	0	0	2	1	0	0	1	0	0	0
Councils	0	0	0	0	0	8	8	4	0	4	15	3	1	2	0	0	0
Other Public Authorities	0	1	6	0	0	11	4	0	0	11	33	5	5	7	1	0	0
All entities	0	7	26	1	1	146	28	4	5	122	256	20	9	37	5	0	0

The exemptions claimed by individual entities during 2017-18 are shown in Appendix 2.

¹⁰ 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 (if any), 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 section 36 or 37 (see Section 15 (5)).

Table 8 shows 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 8a: 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	526	364
Ministers	4	3
Councils	109	100
Other Public Authorities	146	94
All Entities	785	561

Table 8b: 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	53	1	77	25	162
Ministers	4	0	8	9	1
Councils	34	0	8	0	21
Other Public Authorities	0	0	1	0	51
All Entities	91	1	94	34	235

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 9 shows data about the number of internal reviews requested and determined in 2017-18. Information for individual authorities is shown in Appendix 3.

Table 9: Internal Reviews – Summary - Applications received and Determinations¹¹

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	42	43	29	10	2	7
Councils	3	3	2	1	0	0
Other Public Authorities	9	9	6	2	1	1
All Entities	54	55	37	13	3	8

¹¹ Some reviews determined would have been requested in the previous financial year

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.

Table 10 shows data provided by the Office of the Ombudsman about the number of Ombudsman reviews received and determined in 2017-18. Information for individual entities is shown in Appendix 4.

The difference between ‘reviews undertaken’ and the number closed is that a number of cases were closed because they were: out of jurisdiction; resolved before a review was undertaken; or closed for some other reason that was not a formal decision.

Table 10: Ombudsman Reviews – Summary - Applications received and Determinations¹²

Type of Entity	Applications Received ¹³	Closed ¹⁴	Reviews Undertaken ¹⁵	Agency Decisions Varied ¹⁶
Government Departments	32	32	11	8
Councils	10	13	9	3
Other Public Authorities	1	4	3	1
All Entities	43	49	23	12

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

¹³ Every request that was made to the Office of the Ombudsman, regardless of whether the Office was able to investigate the matter

¹⁴ The number of open cases that were closed, irrespective of how they were closed.

¹⁵ Formal reviews undertaken, i.e. the Ombudsman received information, wrote a preliminary and full decision, released it, and published it.

¹⁶ Of the formal reviews undertaken, how many had to be changed because they were incorrect.

APPENDIX 1 – ENTITIES SURVEYED FOR 2017–18

Government Departments

Department of Education
Department of Health and Human Services
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 Pty Ltd
Commissioner for Children and Young People
Copping Refuse Disposal Site Joint Authority
Dulverton Regional Waste Management Authority
Forest Practices Authority
Hydro Tasmania
Inland Fisheries Service
Macquarie Point Development Corporation
Marine and Safety Tasmania
Metro Tasmania Pty Ltd
Motor Accidents Insurance Board
Port Arthur Historic Site Management Authority
Private Forests Tasmania
Property Agents Board
Retirement Benefits Fund Board
Royal Tasmanian Botanical Gardens
Superannuation Commission
Sustainable Timber Tasmania
Tasmanian Building and Construction Industry Training Board
Tasmanian Economic Regulator
Tasmanian Health Service
Tasmanian Irrigation Pty Ltd
Tasmanian Networks Pty Ltd
Tasmanian Pharmacy Authority
Tasmanian Ports Corporation Pty Ltd
Tasmanian Public Finance Corporation
Tasmanian Railway Pty Ltd
Tasmanian Water and Sewerage Corporation Pty Ltd
Tasracing Pty Ltd
TasTAFE
Teachers Registration Board
The Public Trustee
Tourism Tasmania
TT-Line Company Pty Ltd
University of Tasmania
Vet Board Tasmania
Wellington Park Management Trust

APPENDIX 2 – DETAILED STATISTICS– INDIVIDUAL ENTITIES – APPLICATIONS

Table - Individual Entities - Applications: Departments - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	exemptions used (section)	Not in possession of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Education	28	21	8	8	13	27, 31, 35, 36, 37, 38, 39, 40	1	0	3	0	6	9, 19, 20(a)	4
Health and Human Services	48	52	16	16	36	26, 27, 30, 31, 35, 36, 37, 39	2	0	0	1	8	9, 12	2
Justice	65	57	5	5	23	30, 31, 36, 39	7	1	13	1	9	10, 12, 19	6
Police Fire and Emergency Management	287	257	40	40	169	30, 31, 34, 35, 36, 37, 39	10	9	5	0	33	9, 10, 12, 19, 20(a)	6
Premier and Cabinet	36	33	2	2	17	26, 30, 35, 36, 37, 39	6	0	5	1	1	19	2
Primary Industries, Parks, Water & Environment	59	61	15	15	41	27, 28, 30, 35, 36, 37, 39	5	0	3	1	7	9, 10, 12, 19, 20(a)	4
State Growth	36	29	7	7	10	26, 27, 30, 31, 35, 36, 38, 39, 40	0	0	2	0	12	12, 20 (a)	0
Treasury and Finance	20	16	3	3	10	26, 27, 29, 35, 36, 37, 38, 39, 40	2	0	2	0	3	12, 20(a), 20(b)	2

Table - 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 of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Minister for Planning	1	1	0	1	1	35, 36	0	0	0	0	0	0	0
Minister for State Growth	2	2	0	1	1	39	1	0	0	0	0	0	0
Minister for Building and Construction	1	1	0	0	1	27, 35	0	0	0	0	0	0	0

Table - 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 of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Break O'Day Council	3	2	0	2	2	37, 38	0	0	0	0	0	19	0

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	exemptions used (section)	Not in possession of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Brighton Council	8	9	5	4	3	31, 32, 37, 38	0	1	0	1	4	12, 19, 20(a)	0
Burnie City Council	2	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Central Coast Council	1	0	0	0	0	N/A	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	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Clarence City Council	8	0	3	1	4	32, 37	2	0	1	0	4	9, 20(b)	0
Derwent Valley Council	4	0	3	1	1	35	1	0	0	0	0	N/A	0
Devonport City Council	5	0	4	0	0	N/A	0	0	0	0	1	12	0
Dorset Council	3	2	1	1	1	N/A	0	0	0	0	0	N/A	0
Flinders Council	1	1	0	0	0	N/A	1	0	0	0	0	N/A	0
George Town Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Glamorgan/Spring Bay Council	7	7	3	4	4	31, 36	0	0	0	0	0	N/A	0
Glenorchy City Council	16	15	9	5	5	30, 31, 35, 36	0	0	0	0	0	N/A	1
Hobart City Council	31	29	25	2	1	36	2	0	0	0	2	9, 10	0
Huon Valley Council	4	4	3	1	1	36	0	0	0	0	0	N/A	0
Kentish Council	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
King Island Council	1	1	0	1	0	N/A	0	0	1	0	0	N/A	0
Kingborough Council	2	2	1	1	1	36	0	0	0	0	0	N/A	0
Latrobe Council	1	1	0	1	0	N/A	1	0	0	0	0	N/A	0
Launceston City Council	18	18	5	8	10	30, 31, 32, 36	1	0	0	0	3	19, 20(a)	1
Meander Valley Council	3	2	2	0	0	N/A	0	0	0	0	0	N/A	0
Northern Midlands Council	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Sorell Council	5	5	5	0	0	N/A	0	0	0	0	0	N/A	0
Southern Midlands Council	1	1	0	1	1	31, 31, 32, 35, 36	0	0	0	0	0	N/A	0
Tasman Council	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Waratah-Wynyard Council	2	2	2	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 of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
West Coast Council	2	1	0	1	1	36	0	0	0	0	1	12	0
West Tamar Council	3	3	3	0	0	N/A	0	0	0	0	0	N/A	0

Table - Individual Entities - Applications: Other Authorities - Outcome

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	exemptions used (section)	Not in possession of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Aurora Energy	1	1	0	0	1	36	0	0	0	0	0	N/A	0
Commissioner for Children and Young People	2	2	0	2	2	27,35,36,39	0	0	0	0	0	N/A	0
Copping Refuse Disposal Site Joint Authority	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Dulverton Regional Waste Management Authority	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Forest Practices Authority	5	3	2	0	0	N/A	1	0	2	0	0	N/A	0
Hydro Tasmania	10	10	0	10	10	31,35,37,38,39	0	0	0	0	0	9	0
Inland Fisheries Service	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Macquarie Point Development Commission	2	2	0	2	2	27,36,37,39	0	0	0	0	0	N/A	0
Marine and Safety Tasmania	3	3	2	0	0	N/A	1	0	0	0	0	N/A	1
Metro Tasmania Pty Ltd	2	2	2	0	0	N/A	0	0	0	0	0	N/A	0
Motor Accidents Insurance Board	50	40	6	32	34	31,36	0	0	0	0	0	N/A	1
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	2	1	0	1	1	30,31,36	0	0	0	0	0	N/A	0
Retirement Benefits Fund 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
Superannuation Commission	1	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Sustainable Timber Tasmania (Forestry Tasmania)	12	10	1	9	9	35,37,39	0	0	1	0	1	20(a)	0
Tasmanian Building and Construction Industry	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Economic Regulator	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Health Service	68	72	48	6	14	26,30,35,36,37,39,41	10	0	0	0	6	9,19	3

Entity	Applications Received	Applications Determined	Provided in full	Provided in part	Decisions using exemptions	exemptions used (section)	Not in possession of entity ss5, 11)	Excluded person or body (s 6)	transferred	deferred	refused	refusal reason (section)	withdrawn
Tasmanian Irrigation Pty Ltd	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Networks Pty Ltd	3	2	0	2	2	27,29,31,37,38	0	0	0	0	0	N/A	1
Tasmanian Pharmacy Authority	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Tasmanian Ports Corporation Pty Ltd	5	3	0	1	3	27,35,36,39	0	0	1	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 Railway Pty Ltd	3	2	1	1	1	35,37,38,39,40	0	0	0	0	1	10, 19	0
Tasmanian Water and Sewerage Corporation Pty Ltd	20	17	13	2	2	36,39	2	0	0	1	0	19	1
Tasracing Pty Ltd	5	3	3	0	0	N/A	0	0	0	0	0	N/A	0
TasTAFE	5	5	1	1	4	27,30,34,35,36,39	0	0	0	0	0	N/A	0
Teachers Registration Board	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
The Public Trustee	1	0	0	0	0	N/A	0	0	0	0	0	N/A	1
Tourism Tasmania	0	0	0	0	0	N/A	0	0	0	0	0	N/A	0
TT-Line Company Pty Ltd	1	2	0	0	2	27,35,36,37,38,39	0	0	0	0	0	N/A	0
University of Tasmania	8	7	5	1	1	36,39	0	0	0	0	0	N/A	1
Vet Board Tasmania	1	1	1	0	0	N/A	0	0	0	0	0	N/A	0
Wellington Park Management Trust	0	0	0	0	0	N/A	0	0	0	0	0	9	0

Table - 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)
Education	21	11	10	3	0	3
Health and Human Services	52	36	16	15	1	0
Justice	57	41	16	14	0	2
Police Fire and Emergency Management	257	197	60	10	0	50
Premier and Cabinet	33	27	6	0	0	6
Primary Industries, Parks, Water & Environment	61	26	35	2	0	15
State Growth	29	16	13	5	0	5
Treasury and Finance	16	10	6	4	0	2

Table - 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 Planning	1	0	0	0	0	0
Minister for Building and Construction	1	0	0	0	0	0
Minister for State Growth	1	1	0	0	0	1

Table - 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	2	1	1	0	0	1
Brighton Council	9	9	0	0	0	0
Burnie City Council	1	0	1	1	0	0
Central Coast Council	0	0	0	0	0	0
Central Highlands Council	0	0	0	0	0	0
Circular Head Council	1	1	0	0	0	0
Clarence City Council	0	4	0	0	0	0
Derwent Valley Council	0	3	1	0	0	1
Devonport City Council	0	5	0	0	0	0
Dorset Council	2	1	1	1	0	0
Flinders Council	1	1	0	0	0	0
George Town Council	0	0	0	0	0	0
Glamorgan/Spring Bay Council	7	5	2	0	0	2
Glenorchy City Council	15	6	8	0	0	1
Hobart City Council	29	29	0	0	0	0
Huon Valley Council	4	4	0	0	0	0
Kentish Council	1	1	0	0	0	0
Kingborough Council	1	0	1	0	0	0
King Island Council	2	2	0	0	0	0
Latrobe Council	1	1	0	0	0	0

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)
Launceston City Council	18	13	5	1	0	3
Meander Valley Council	2	2	0	0	0	0
Northern Midlands Council	1	1	0	0	0	0
Sorell Council	5	5	0	0	0	0
Southern Midlands Council	1	0	1	1	0	0
Tasman Council	0	0	0	0	0	0
Waratah-Wynyard Council	2	2	0	0	0	0
West Coast Council	1	1	0	0	0	0
West Tamar Council	3	3	0	0	0	0

Table - 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	2	2	0	0	0	0
Commissioner for Children and Young People	0	0	0	0	0	0
Copping Refuse Disposal Site Joint Authority	0	0	0	0	0	0
Dulverton Regional Waste Management Authority	0	0	0	0	0	0
Forest Practices Authority	2	2	0	0	0	0
Hydro Tasmania	3	2	1	1	0	0
Inland Fisheries Service	0	0	0	0	0	0
Legal Aid Commission of Tasmania	1	0	1	0	0	1
Macquarie Point Development Commission	0	0	0	0	0	0
Marine and Safety Tasmania	4	2	2	0	0	0
Metro Tasmania Pty Ltd	3	3	0	0	0	0
Motor Accidents Insurance Board	37	36	1	1	0	0
Port Arthur Historic Site Management Authority	0	0	0	0	0	0
Private Forests Tasmania	0	0	0	0	0	0
Property Agents Board	0	0	0	0	0	0

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)
Retirement Benefits Fund Board	0	0	0	0	0	0
Royal Tasmanian Botanical Gardens	0	0	0	0	0	0
Superannuation Commission	2	2	0	0	0	0
Sustainable Timber Tasmania (prev Forestry Tasmania)	5	2	3	0	0	3
Tasmanian Building and Construction Industry	0	0	0	0	0	0
Tasmanian Economic Regulator	0	0	0	0	0	0
Tasmanian Health Service	49	0	0	0	0	0
Tasmanian Irrigation	0	24	25	19	0	0
Tasmanian Networks Pty Ltd	1	0	0	0	0	0
Tasmanian Pharmacy Authority	0	0	0	0	0	0
Tasmanian Public Finance Corporation	0	0	0	0	0	0
Tasports	1	0	0	0	0	0
TasRacing	3	0	0	0	0	0
TasRail	0	1	0	0	0	0
TasWater	19	3	0	0	0	0
TasTAFE	8	0	0	0	0	0
Teachers Registration Board	0	9	10	7	0	1
The Public Trustee	0	5	3	3	0	0
Tourism Tasmania	1	0	0	0	0	0
TT Line	0	0	0	0	0	0
University of Tasmania	4	0	1	1	0	0
Vet Board Tasmania	0	0	0	0	0	0
Wellington Park Management Trust	1	1	3	2	0	2

APPENDIX 3 – DETAILED STATISTICS– INDIVIDUAL ENTITIES – INTERNAL REVIEWS

Table - Individual Entities – Internal Reviews - Departments

Entity	Requested	Determined	Upheld in Full	Upheld in part	Varied in part or in full	Resolved by other means
Education	1	1	0	0	0	1
Health and Human Services	8	7	3	3	4	0
Justice	2	2	0	2	2	0
Police Fire and Emergency Management	17	17	16	1	1	0
Premier and Cabinet	6	6	4	1	1	6
Primary Industries, Parks, Water & Environment	6	8	5	3	3	0
State Growth	0	0	0	0	0	0
Treasury and Finance	2	2	1	0	1	0

Table - Individual Entities – Internal Reviews - Councils

Entity	Requested	Determined	Upheld in Full	Upheld in part	Varied in part or in full	Resolved by other means
Break O'Day Council	1	1	1	0	0	0
Brighton Council	0	0	0	0	0	0
Burnie City Council	0	0	0	0	0	0
Central Coast Council	0	0	0	0	0	0
Central Highlands Council	0	0	0	0	0	0
Circular Head Council	0	0	0	0	0	0
Clarence City Council	0	0	0	0	0	0
Derwent Valley Council	1	1	1	0	0	0
Devonport City Council	0	0	0	0	0	0
Dorset Council	0	0	0	0	0	0
Flinders Council	0	0	0	0	0	0
George Town Council	0	0	0	0	0	0
Glamorgan/Spring Bay Council	1	1	0	1	1	0
Glenorchy City Council	0	0	0	0	0	0
Hobart City Council	0	0	0	0	0	0
Huon Valley Council	0	0	0	0	0	0
Kentish Council	0	0	0	0	0	0
Kingborough Council	0	0	0	0	0	0
King Island Council	0	0	0	0	0	0
Latrobe Council	0	0	0	0	0	0
Launceston City Council	0	0	0	0	0	0
Meander Valley Council	0	0	0	0	0	0
Northern Midlands Council	0	0	0	0	0	0
Sorell Council	0	0	0	0	0	0
Southern Midlands Council	0	0	0	0	0	0
Tasman Council	0	0	0	0	0	0
Waratah-Wynyard Council	0	0	0	0	0	0

Entity	Requested	Determined	Upheld in Full	Upheld in part	Varied in part or in full	Resolved by other means
West Coast Council	0	0	0	0	0	0
West Tamar Council	0	0	0	0	0	0

Table - Individual Entities – Internal Reviews - Other Authorities

Entity	Requested	Determined	Upheld in Full	Upheld in part	Varied in part or in full	Resolved by other means
Aurora Energy	1	1	0	1	1	0
Commissioner for Children and Young People	0	0	0	0	0	0
Copping Refuse Disposal Site Joint Authority	0	0	0	0	0	0
Dulverton Regional Waste Management Authority	0	0	0	0	0	0
Forest Practices Authority	0	0	0	0	0	0
Hydro Tasmania	0	0	0	0	0	0
Inland Fisheries Service	0	0	0	0	0	0
Macquarie Point Development Commission	0	0	0	0	0	0
Marine and Safety Tasmania	0	0	0	0	0	0
Metro Tasmania Pty Ltd	0	0	0	0	0	0
Motor Accidents Insurance Board	0	0	0	0	0	0
Port Arthur Historic Site Management Authority	0	0	0	0	0	0
Private Forests Tasmania	0	0	0	0	0	0
Property Agents Board	0	0	0	0	0	0
Retirement Benefits Fund Board	0	0	0	0	0	0
Royal Tasmanian Botanical Gardens	0	0	0	0	0	0
Superannuation Commission	0	0	0	0	0	0
Sustainable Timber Tasmania (Forestry Tasmania)	0	0	0	0	0	0
Tasmanian Building and Construction Industry	1	1	1	0	0	0
Tasmanian Economic Regulator	0	0	0	0	0	0
Tasmanian Health Service	0	0	0	0	1	0
Tasmanian Irrigation Pty Ltd	0	0	0	0	0	0
Tasmanian Networks Pty Ltd	1	1	0	1	0	0
Tasmanian Pharmacy Authority	0	0	0	0	0	0
Tasmanian Ports Corporation Pty Ltd	0	0	0	0	0	0
Tasmanian Public Finance Corporation	0	0	0	0	0	0
Tasmanian Railway Pty Ltd	0	0	0	0	0	0
Tasmanian Water and Sewerage Corporation Pty Ltd	0	0	0	0	1	1
Tasracing Pty Ltd	2	2	2	0	0	0
TasTAFE	0	0	0	0	0	0
Teachers Registration Board	0	0	0	0	0	0
The Public Trustee	2	2	1	0	0	0
Tourism Tasmania	2	2	2	0	0	0
TT-Line Company Pty Ltd	0	0	0	0	0	0
University of Tasmania	0	0	0	0	0	0
Vet Board Tasmania	0	0	0	0	0	0
Wellington Park Management Trust	0	0	0	0	0	0

APPENDIX 4 – DETAILED STATISTICS– INDIVIDUAL ENTITIES – OMBUDSMAN REVIEWS

Table - Individual Entities – Ombudsman Reviews - Departments

Entity	Applications Received	Closed	Reviews undertaken	Agency Decisions varied
Education	4	6	2	1
Health and Human Services	4	4	2	2
Justice	1	0	0	0
Police Fire and Emergency Management	10	6	1	1
Premier and Cabinet	5	4	1	1
Primary Industries, Parks, Water & Environment	7	9	4	2
State Growth	1	3	1	1

Table - Individual Entities – Ombudsman Reviews - Councils

Entity	Received	Closed	Reviews undertaken	Agency Decisions varied
Brighton Council	2	5	4	1
Clarence City Council	1	0	0	0
Derwent Valley Council	0	1	0	0
Devonport City Council	1	1	0	0
Glamorgan/Spring Bay Council	2	1	1	0
Hobart City Council	0	1	1	0
King Island Council	0	1	1	0
Launceston City Council	3	3	2	2
Southern Midlands Council	1	0	0	0
Waratah/Wynyard Council	0	0	0	0

Table - Individual Entities – Ombudsman Reviews - Other Authorities and Ministers

Entity	Received	Closed	Reviews undertaken	Agency Decisions varied
Copping Refuse Disposal Site Joint Authority	0	1	1	0
Hydro	0	0	0	0
Metro Tasmania	0	0	0	0
Minister for Education and Skills	0	1	1	1
Minister for Energy and Resources	0	0	0	0
Minister for Primary Industries and Water	0	0	0	0
TasWater	1	1	1	0
TT Line	0	1	0	0
University of Tasmania	0	0	0	0

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.
Economic Regulator Act 2009	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.

Act	Section	Provision
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.
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 Act 2000	Section 13(3)	Information classified by the Regulator or the Director of Gas Safety as confidential is not liable to disclosure under the RTI Act.
Gas Pipelines Act 2000	Section 95(3)	Information classified by the Regulator or the Director of Gas Safety as confidential 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.
	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.
Metro Tasmania Act 1997	Section 18E	The RTI Act does not apply in respect of documents and information referred to in documents, part of a documents, or other information, that are provided to the Secretary as part of a Company review and came into his or her possession as a result of conducting a Company review, if those documents, parts or information are or contain information which, if published, could cause damage to the commercial interests of the Company; and the RTI Act does not apply to records of the giving or production of such documents and information.

Act	Section	Provision
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).
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.

Act	Section	Provision
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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