

	Department of Infrastructure, Energy and Resources	Version Number: 1
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As the custodian of information for the benefit of the people of Tasmania, DIER will publish information it holds which it considers to be of general public interest.

There may be information which DIER holds which is of interest to members of the public but which is not currently routinely disclosed. DIER promotes the principle of active disclosure of such information (*ie.* the voluntary release of information on receipt of a request).

What is Active Disclosure?

The *Right to Information Act 2009* (RTI Act) defines active disclosure as the disclosure of information by a public authority or a Minister in response to a request from a person made outside the provisions of the Act which outline the process for assessed disclosure.

Whom do you contact if you would like information from DIER?

All Divisions have a nominated Contact Officer. This officer will be the first point contact. (http://www.dier.tas.gov.au/rti/contact_divisions).

[*Members of Parliament and media* refer to RTI Contact List for appropriate contact numbers]

DIER will do all it can to assist you with your enquiry and provide you with useful information.

What will DIER do with your request?

DIER will:

- direct you to the information if it is already publicly available
- conduct a search of departmental records and identify all relevant information
- carefully consider the information and take into account factors such as:
 - **third parties** – the legitimate rights of third parties will not be compromised
 - **personal privacy** - decisions must be consistent with the Personal Information Privacy Protection Principles in the *Personal Information Protection Act 2004*
 - **confidentiality** – confidentiality provisions in an Act or contract
 - **copyright**
 - **unlawful release**
 - **defamation**
- decide whether the information can be released to you in full or in part, taking into consideration the factors which favour disclosure

- inform you of any relevant information that is considered exempt and has been withheld
- provide you with advice on your rights to apply for an **assessed disclosure** of the exempt information

Who will decide what information can be released?

In most situations Branch Managers will decide if the information can be released to you. Depending on the nature of the information, the decision to release (or withhold) information may need to be referred to more senior managers for determination.

- All decisions will be made taking into account the need for a timely response and the objective of the RTI Act to favour disclosure of information wherever possible.

Will there be a charge for the information?

DIER embraces the objective of the RTI Act of making available promptly and at the lowest reasonable cost, the maximum amount of official information.

Charges for information may be waived if you –

- are the holder of a Centrelink Healthcare Card
- are a Member of Parliament and the information is required in connection with your official duties
- can show that the information is intended to be used for general public interest or benefit
- are seeking personal information (other than information that has previously been provided to you).

DIER may charge a fee for the provision of the information if –

- (1) the information is to be used for financial gain
- (2) additional cost is involved in responding to the request (eg. the information needs to be transcribed; or providing the information is more costly than currently available).

Charges are based on the *Costing Fees and Charges Guidelines for Use by Agencies* established by the Department of Treasury and Finance.

[http://www.treasury.tas.gov.au/domino/df/df.nsf/LookupFiles/Costing-Fees-and-Charges-Guidelines-2006.pdf/\\$file/Costing-Fees-and-Charges-Guidelines-2006.pdf](http://www.treasury.tas.gov.au/domino/df/df.nsf/LookupFiles/Costing-Fees-and-Charges-Guidelines-2006.pdf/$file/Costing-Fees-and-Charges-Guidelines-2006.pdf)



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SECRETARY

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