www.oaic.gov.au

GPO Box 5218 Sydney NSW 2001 P +61 2 9284 9800 F +61 2 9284 9666 E enquiries@oaic.gov.au Enquiries 1300 363 992 TTY 1800 620 241 ABN 85 249 230 937

Our reference: 18/000005-20

Mr Mark Fitt Secretary Senate Economics Legislation Committee PO Box 6100 Parliament House Canberra ACT 2600

By email: Economics.Sen@aph.gov.au

Dear Mr Fitt

Inquiry into the National Housing Finance and Investment Corporation Bill 2018 and the National Housing Finance and Investment Corporation (Consequential Amendments and Transitional Provisions) Bill 2018

Thank you for the opportunity to comment on the National Housing Finance and Investment Corporation (Consequential Amendments and Transitional Provisions) Bill 2018.

Item 2 of Schedule 1 of the Bill inserts the National Housing Finance and Investment Corporation into Division 1 of Part II of Schedule 2 to the Freedom of Information Act 1982 (FOI Act), in relation to documents in respect of its commercial activities. The effect of this amendment would be to exempt the National Housing Finance and Investment Corporation from the operation of the FOI Act in relation to documents in respect of its commercial activities. However, as an agency subject to the FOI Act, the National Housing Finance and Investment Corporation would be required to process FOI requests in relation to its other activities.

I have considered the draft provisions that seek to amend the FOI Act and consider that these amendments are similar to and consistent with existing provisions that operate to exempt particular agencies from the operation of the FOI Act in relation to documents in respect of commercial activities.

If you wish to discuss any of these matters further, please contact Emma Liddle, Acting Director Freedom of Information, on

Yours sincerely



Angelene Falk Acting Australian Information Commissioner

17 April 2018