

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Group: 2

Program: 1.1

Question No. AE15/076

Senator Rhiannon asked the following written question from the 24 February and 27 March 2015 hearings:

1. It was widely promoted that the FOI system would change, with appeal applications to be limited to the AAT incurring an \$800 fee. Considering this change was widely promoted but has not yet been introduced, has any work been undertaken to inform the public that the old regime is still in place and they don't have pay \$800 if they wish to appeal an FOI decision?

The answer to the honourable senator's question is as follows:

All FOI applicants are advised of their appeal rights at the time decisions to refuse access to a document are made.

In addition, on 8 December 2014 the Office of the Australian Information Commissioner published information on its website notifying potential applicants that the legislation had not passed. It also advised potential applicants that it would continue to administer FOI functions, but in discussion with Government regarding transitional arrangements.