

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS**  
**BUDGET ESTIMATES 2017**

**Office of the Australian Information Commission**

**Question No. BE17-135**

**Senator Rhiannon asked the following question on 08 June 2017:**

1. What provisions have been made in the budget or elsewhere to adequately resource the OAIC so it can:
  - (a) discharge its statutory functions?
  - (b) implement the OGP NAP commitments?
  
2. If provisions have been made to adequately resource the OAIC please detail them.
  
3. Is it proposed to appoint an individual to each of the three independent statutory Commissioner roles in 2017-8?
  - (a) If not, why not?
  - (b) If not when do you anticipate the appointments will be made?
  
4. If no appointment is made is that a breach of:
  - (a) commitment made in the NAP?
  - (b) Australia's commitment as a participating nation of the OGP?
  
5. For the financial year 2017-8:
  - (a) how much of the OAIC budget will be spent on
    - its privacy functions
    - Its FOI functions
  - (b) How many OAIC staff will be employed in its
    - privacy functions
    - FOI functions
    - Implementing NAP commitments
  - (c) How many FOI staff and how many Privacy staff will be engaged in Implementing NAP commitments
  - (d) What additional funding and other resourcing will be provided for Implementing NAP commitments in 2017-8 and what will be its source(s)?
  
6. Will the government be able to honour the commitment made in the E NAP that "The Government is committed to ensuring the adequate resourcing of the OAIC to discharge its statutory functions ...."?
  - (a) Considering that under the E NAP the government has given the OAIC some five

additional functions, how are these to be funded and staffed without withdrawing money and staff from the FOI and/or Privacy statutory functions?

(b) If money and/or staff are withdrawn from the FOI and/or privacy statutory functions would that be a breach of the commitment made in the E NAP ?

**The response to the honourable Senator's question is as follows:**

1 – 4) The resources allocated to the Office of the Australian Information Commissioner (OAIC) are set out in the Portfolio Budget Statements 2017-18 Budget related Paper No. 12 for the Attorney-General's Portfolio. The remaining questions 1–4 should be directed to the Attorney-General's Department.

5)

- a) The OAIC operates as an integrated agency in relation to all its functions and as such its budget is not separated by function.
- b) The OAIC broadly allocates staff from within existing resources proportionate to the workload requirements of each function and priority setting. As at 3 July 2017 the staff allocated to these core functions was approximately:
  - Privacy: 47
  - FOI: 15
  - NAP: (refer (c) below)

In addition to the above, a further 11 staff provide support across both functions in areas such as education and awareness, legal services, corporate governance. A further six staff are in the Executive Branch.

- c) While no staff have been solely dedicated to the implementation of the NAP, staff will be drawn, as required, from various areas of the OAIC based on the skills and subject matter expertise required for particular NAP projects. This allocation will be done as part of the OAIC's priority setting and overall workload requirements.
  - d) The OAIC operates from within existing resources to achieve its required outcomes based on priority setting and workload requirements. Staff allocated to the implementation of the NAP will come from existing resources.
- 6) This question should be directed to the Attorney-General's Department
- a) See above
  - b) See above