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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**

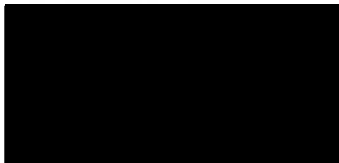
Thank you for the opportunity to comment on the National Housing Finance and Investment Corporation (Consequential Amendments and Transitional Provisions) Bill 2018.

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 [REDACTED]

Yours sincerely



Angelene Falk
Acting Australian Information Commissioner

17 April 2018