

Senate Community Affairs Legislation Committee

ADDITIONAL ESTIMATES – 2 MARCH 2017 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Information release – use of section 202 and section 164

Question reference number: 7 (HS 7)

Senator: Smith

Type of question: Hansard page 18

Date set by the committee for the return of answer: 21 April 2017

Number of pages: 1

Question:

Senator SMITH: How many times has section 202 and section 162 been used to defend or justify the public disclosure of information—if it is possible, not just since the beginning of the last financial year but in the period since 2007? Is that possible, or is it too onerous a task?

Ms Campbell: We could take it on notice and have a look.

Senator SMITH: If it is too onerous a task, I understand.

Ms Campbell: One of our challenges is that, of course, the Department of Human Services was formed in 2011. There were disparate agencies with different processes, legal teams and procedures, so it is bit tricky when we get into that.

Senator SMITH: Since 2011 might serve the purpose.

Ms Campbell: We will take it on notice.

Answer:

Section 162 of the *A New Tax System (Family Assistance)(Administration) Act 1999* and section 202 of the *Social Security (Administration) Act 1999* authorise the disclosure of protected information where that disclosure is for the purposes of (amongst other things) the family assistance law and social security law. As such disclosures are made by the Department very frequently and in a range of different contexts, it not possible for the Department to quantify the number of disclosures which have been authorised under these provisions during a particular period of time.