

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

Program: 1.1

Question No. SBE15/008

Senator Rhiannon asked the following question at the hearing on 20 October 2015:

Senator RHIANNON: Thank you for taking it on notice—so just to elaborate on what would be useful to take on notice and gain a response, I repeat: there are three functions identified in those last two paragraphs on the first page—the external merits review of FOI decisions; investigation of complaints about FOI processing for agencies; and the issuing of FOI guidelines and annual reporting on FOI statistics. Looking at the OAIC website, it also lists the independent monitor of FOI matters and responsibility for regulating and providing advice on the operation of the Freedom of Information Act 1983. Could you take it on notice if those five points are what is covered when the word 'functions' is used.

Senator Brandis: I will ask Mr O'Sullivan what he was referring to when he used the word 'functions', but it is not for me to speculate on what the author of a letter may have meant by the use of the words he chose to use.

Senator RHIANNON: So you are agreeing to take it on notice?

Senator Brandis: I have said I would take it on notice.

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

The FOI functions referred to on the first page are the proposed new arrangements as specified in the 2014-15 Budget measure *Smaller Government – Privacy and Freedom of Information functions- new arrangements*, attached.