

Provisions of Commonwealth Legislation which restrict access to information*

1. Commonwealth Acts

A: Provisions prohibiting or restricting the disclosure of information

- Aboriginal Land Rights (Northern Territory) Act, 1976 s.23E
- Administrative Appeals Tribunal Act, 1975 s.66
- Atomic Energy Act, 1953 ss.44-48 (s.5 'restricted information'), 52, 53
- Audit Act, 1907 s.14c
- Australian Capital Territory Taxation (Administration) Act, 1969 s.7
- Australian Film Commission Act, 1975 s.43
- Australian Science and Technology Council Act, 1978 s.26
- Broadcasting and Television Act, 1942 s.106B
- Census and Statistics Act, 1905 ss.7, 24
- Commonwealth Banks Act, 1959 s.15
- Commonwealth Electoral Act, 1918 ss.93 (1) (c), 155 (ii)
- Crimes Act, 1914 ss.70, 79
- Defence Act, 1903 s.73A
- Defence (Transitional Provisions) Act, 1949 s.9
- Environment Protection (Alligator Rivers Region) Act, 1978 s.31
- Export Finance and Insurance Corporation Act, 1974 s.85
- Export Incentives Grants Act, 1971 s.8
- Export Market Development Grants Act, 1974 s.37
- Family Law Act, 1975 s.19
- Financial Corporations Act, 1974 s.27
- Gift Duty Assessment Act, 1941 s.10
- Health Insurance Act, 1973 s.130
- Home Savings Grant Act, 1964 s.13
- Home Savings Grant Act, 1976 s.41
- Hospitals and Health Service Commission Repeal Act, 1978 s.9
- Housing Loans Insurance Act, 1965 s.45
- Income Tax Assessment Act, 1936 s.16
- Industrial Research and Development Grants Act, 1967 s.23
- Industrial Research and Development Incentives Act, 1976 s.22
- Insurance Acts, 1973 ss.74, 126, 127
- Life Insurance Act, 1945 s.57
- National Health Act, 1953 s.135A
- National Parks and Wildlife Conservation Act, 1975 s.17E
- Ombudsman Act, 1976 s.35
- Patents Act, 1952 ss.19 (a), 131
- Pay Roll Tax Assessment Act, 1941 s.11
- Pay Roll Tax (Territories) Assessment Act, 1971 s.8
- Port Statistics Act, 1977 s.7
- Postal and Telecommunications Commissions (Transitional Provisions) Act, 1975, s.37
- Re-establishment and Employment Act, 1945 ss.70, 71
- Reserve Bank Act, 1959 s.16
- Sales Tax Assessment Act (No. 1), 1930 s.10

* This list was provided by the Attorney-General's Department on 5 June 1979.

Social Services Act, 1947 s.17
 Social Welfare Commission (Repeal) Act, 1976 s.8
 State Receipts Duties (Administration) Act, 1970 s.21
 Stevedoring Industry Charge Assessment Act, 1947 s.10
 Structural Adjustment (Loan Guarantees) Act, 1974 s.11
 Supply and Development Act, 1939 s.25
 Taxation Administration Act, 1953 s.14F
 Telecommunications Act, 1975 s.82
 Telephonic Communications (Interception) Act, 1960 s.5 (3)
 Tobacco Charges Assessment Act, 1955 s.10
 Trade Practices Act, s.149
 Wool Tax (Administration) Act, 1964 s.8

B: Provisions restricting publication of information

Administrative Appeals Tribunal Act, 1975 ss.28 (2), 35 (2), 36, 36A, 46 (2)
 Administrative Decisions (Judicial Review) Act, 1977 s.14
 Atomic Energy Act, 1953 s.62
 Aliens Act, 1947 s.6
 Australian Citizenship Act, 1948 s.46A (5)
 Australian Industry Development Corporation Act, 1970 s.8A (3)
 Banking Act, 1959 ss.31, 59, 61 (3)
 Bounties Procedure Act, 1907 ss.6, 9
 Census and Statistics Act, 1905 s.20 (3)
 Commonwealth Electoral Act, 1918 ss.93, 155
 Conciliation and Arbitration Act, 1904 s.186
 Copyright Act, 1968 s.163
 Courts-Martial Appeals Act, 1955 s.18
 Crimes Act 1904, s.85B
 Defence (Special Undertakings) Act, 1952 s.31
 Environment Protection (Impact of Proposals) Act, 1974 ss.11 (5), 14 (2)
 Environment Protection (Nuclear Codes) Act, 1978 s.15 (1) (d)
 Export Finance and Insurance Corporation Act, 1974 s.32 (3)
 Family Law Act, 1975 ss.18, 121
 Federal Court of Australia Act, 1976 s.50
 Financial Corporations Act, 1974 s.22
 Fisheries Act, 1952 s.17 (3)
 Health Insurance Act, 1973 s.106G (4)
 Industrial Research and Development Grants Act, 1967 s.38 (2) (c)
 Industrial Research and Development Incentives Act, 1976 s.40 (2) (c)
 Industries Assistance Commission, 1973 s.33 (5)
 Life Insurance Acts, 1945 s.145
 National Health Act, 1953 ss.73 (4), 134A (6)
 National Labour Consultative Council Act, 1977 s.5 (2) (c)
 Patents Act, 1952 ss.55, 131
 Petroleum (Submerged Lands) Act, 1967 ss.86 (2), 118 (6)
 Prices Justification Acts, 1973 s.23 (5)
 Primary Industry Bank Act, 1977 s.11
 Public Accounts Committee Act, 1951 s.11
 Public Works Committee Act, 1969 s.23
 Racial Discrimination Act, 1975 s.22 (5)
 Royal Commissions Act, 1902 s.6D
 Trade Marks Act, 1955 s.74 (7)
 Trade Practices Act, 1974 ss.89 (5)-(5E), 95 (3)-(8), 106 165 (3)

C: Provisions requiring evidence to be taken or meeting to be conducted in private

- Broadcasting and Television Act, 1942 s.19 (2)
- Compensation (Australian Government Employees) Act, 1971 s.81 (2)
- Conciliation and Arbitration Act, 1904 ss.27 (6), 41 (g)
- Customs Act, 1901 s. 183G
- Health Insurance Act, 1973 ss.60 (2), 76 (2), 91 (2), 97 (1), 118 (1)
- Home Savings Grant Act, 1976 s.42 (1)
- Industries Assistance Commission Act, 1973 s.33 (2)
- Insurance Acts, 1973 s.81
- National Health Act, 1953 s.123
- Nursing Homes Assistance Act, 1974 ss.23 (2), 26 (1)
- Public Service Act, 1922 s.60 (2)
- Trade Practices Act, 1973 s.21 (2) (cf. s.21 (3) (b))
- Repatriation Act, 1920 s.121
- Re-establishment and Employment Act, 1945 s.86
- Social Services Act, 1947 s.141
- Student Assistance Act, 1973 s.29 (2)

2. Statutory Rules

A: Provisions prohibiting or restricting the disclosure of information

- Australian Broadcasting Commission (Staff) Regulations, rr.59, 60
- Australian Capital Territory Representation Regulations, r.64
- Broadcasting and Television Regulations, r.25
- Census Regulations, r.9
- Commonwealth Banks Regulations, rr.33, 34
- Commonwealth Inscribed Stock Regulations, r.61
- Commonwealth Police Regulations, r.19
- Electoral and Referendum Regulations, r.34 (1)
- Family Law Regulations, r.20
- Gift Duty Regulations, r.4
- High Commissioner (Staff) Regulations, r.88
- Income Tax Regulations, r.4
- Life Insurance Regulations, r.24
- National Security (War Damage to Property) Regulations, r.59
- Northern Territory Electoral Regulations, r.127 (1)
- Papua New Guinea (Staff Assistance) (Terms and Conditions of Employment) Regulations, rr.18, 19
- Pay-roll Tax Regulations, r.4
- Public Service Regulations, r.35
- Public Service (Parliamentary Officers) Regulations, rr.23, 24
- Repatriation (Far East Strategic Reserve) Regulations, r.18
- Repatriation (Special Overseas Service) Regulations, r.18
- Reserve Bank Regulations, rr.4, 6
- Sales Tax Procedure Regulations, r.35
- Statistics Regulations, r.4
- Supply and Development Regulations, r.56
- Telecommunications (Telecom Australia Stock) Regulations, r.26
- Wireless Telegraphy Regulations, r.36
- Wool Tax (Administration) Regulations, r.8

B: Provisions restricting publication of information

- Air Navigation Regulations, rr.107 (3), 283 (1), 291 (7), 295
- Australian Citizenship Regulations, rr.7B (5), 7C

Australian Military Regulations, r.770
Australian Military (Places of Detention) Regulations, r.11 (2)
Marriage Regulations, r.70 (4)
National Security (Industrial Property) Regulations, r.5
Naval Forces Regulations, r.130
Postal Services Regulations, r.47
Re-establishment and Employment (Allowances and Loans) Regulations,
rr.35, 37
Repatriation Regulations, r.45
Trade Practices Regulations, rr.24, 27 (3), 33

C: Provisions requiring evidence to be taken or meeting to be conducted in private

Air Force (Courts of Inquiry) Regulations, r.9
Commonwealth Teaching Service Regulations, r.38
Customs (Quota Orders Review Tribunal) Regulations, r.15
Excise (Quota Orders Review Tribunal) Regulations, r.13
Postal Services Regulations, r.20
Sales Tax Regulations, r.43 (2)
States Receipts Duties Regulations, r.17 (2)
Taxation Administration Regulations, r.7
Telecommunications Regulations, r.20

3. A.C.T. Legislation

A: Provisions prohibiting or restricting the disclosure of information

Companies Ordinance, 1962, s.7 (9)
Consumer Affairs Ordinance, 1973 s.15E
Enquiry Ordinance, 1938 s.5B (3)
Fire Brigade (Administration) Ordinance, 1974 ss.42, 63
Legal Aid Ordinance, 1977 s.92
Legal Practitioners Ordinance (No. 2), 1970 ss.65, 68
Liquor Ordinance, 1975 s.17 (6)
Police (Disciplinary Provisions) Ordinance, 1972 s.16
Prices Regulation Ordinance, 1949 s.8
Statistics Ordinance, 1929 s.7

B: Provisions restricting publication of information

Adoption of Children Ordinance, 1965 ss.49, 50, 59–61, 65
Adoption of Children Regulations, ss.10, 10A (5)
Agents Ordinance, 1968 s.93 (13)
Child Welfare Ordinance, 1957 s.14 (2) (c), 14 (3)
Companies Ordinance, 1962 ss.169 (4), 177 (5) (b)
Evidence Ordinance, 1971 ss.83, 85
First Offenders (Women) Ordinance, 1947 ss.3, 4
Inebriates Act, 1900 (N.S.W.) s.12
Maintenance Ordinance, 1971 ss.19 (3A), 20 (10A)
Mining Ordinance, 1930 s.55
Registration of Births, Deaths and Marriages Ordinance, 1963 ss.45 (3),
51 (4)–(6)
Small Claims Ordinance, 1974 s.18 (2)
Statistics Ordinance, 1929 s.17

C: Provisions requiring evidence to be taken or meeting to be conducted in private

- Agents Ordinance, 1968 s.88 (4)
- Landlord and Tenant Ordinance, 1949 s.74
- Liquor Ordinance, 1975 ss.31 (7) and (8), 57 (2) and (3)
- Milk Authority Ordinance, 1971 s.18 (4)
- Poker Machine Control Regulations, s.6
- Remand Centres Ordinance, 1976 s.25
- Sale of Motor Vehicles Ordinance, 1977 s.14
- Venereal Diseases Ordinance, 1956 s.14

4. Applied Imperial Legislation

A: Provisions prohibiting or restricting the disclosure of information

- Naval Discipline Act, 1957 (Imp.) s.34, applied by the Naval Defence Act, 1910 s.34 and Naval Forces Regulations, r.8
- Army Act, 1881 (Imp.) s.36, applied by the Defence Act, 1903 s.55 and Australian Military Regulations, r.9
- Air Force Act, 1917 (Imp.) s.36, applied by the Air Force Act, 1923 and Air Force Regulations, r.13

C: Provisions requiring evidence to be taken or meeting to be conducted in private

- Naval Discipline Act, 1957 (Imp.) s.61, applied as above
- Rules of Procedure (Army), r.63, applied as above
- Rules of Procedure (Air Force) r.63, applied as above