

Freedom of Information Amendment (Improving Public Access to Information) Bill 2006

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Freedom of Information Act 1989* to require an independent review of that Act to be conducted to improve public access to information and for other purposes.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on assent.

Clause 3 is a formal provision that gives effect to the amendment to the *Freedom of Information Act 1989* (**the Principal Act**) as set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act on the day following the day on which the Act commences. Once the amendment has commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendment made by that Act.

Schedule 1 Amendment

Schedule 1 inserts proposed sections 70 and 71 into the Principal Act.

Proposed section 70 requires the Minister to appoint one or more persons or a body to conduct an independent review of the Principal Act to determine whether its policy objectives remain valid and whether its terms remain appropriate for securing those objectives. The proposed section specifies particular matters to be considered in the review and requires the holding of public hearings, the consideration of public submissions and the tabling of a report of the review in Parliament. Proposed section 71 requires the Minister to conduct a subsequent review, to be commenced as soon as possible after a period of 5 years from the deadline for the provision to the Minister of the report of the first review. This subsequent review is to have the same general purpose as the first review and a report of the review is also to be tabled in Parliament. However, the proposed section 71 does not specify particular matters to be considered or require public hearings or the consideration of public submissions.