



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Peter Cain MLA on Tuesday, 30 August 2022: Chris Steel MLA, Special Minister of State took on notice the following question(s):

[Ref: Hansard Transcript Tuesday, 30 August 2022 [PAGE 28-29]]

In relation to:

(1) MR CAIN: Thank you, Chair. Minister, I have got a few questions about the requirement for disclosure logs. As you are aware, under section 28 of the FOI Act, an agency or minister must keep a record of access applications. As Special Minister of State responsible for government information, how often do you review or receive updates on the disclosure logs for each directorate?

Mr Steel: I will have to take that on notice.

(2) MR CAIN: Thank you. What percentage of FOIs, including withdrawals and disclosures, are disclosed across each directorate?

Mr Steel: Again, I will take that on notice in the same question.

(3) MR CAIN: And are these disclosure logs audited to ensure compliance with the legislation?

Mr Steel: I will take that question on notice as well.

(4) MR CAIN: Included in that, when was the last time these disclosure logs were audited?

Mr Steel: I will take that on notice.

MR CAIN: Thank you, Chair.

Chris Steel MLA, Special Minister of State: The answer to the Member's question is as follows: –

- (1) Under section 28 of the *Freedom of Information Act 2016* (the FOI Act), each agency and Minister is responsible for maintaining its own disclosure log detailing the access applications made to the agency or Minister. I do not review or receive updates on the disclosure logs for ACT Government agencies.
- (2) All decisions on applications under the FOI Act are recorded on the disclosure log except where they relate to requests for personal information. Information about an applicant's business, commercial, financial or personal affairs will also be withheld from publication where this would be considered unreasonable.

The following table provides the percentage of FOIs published by each directorate on its disclosure log in 2021-22. It should be noted that the disclosure log only records decision notices given under section 51 of the FOI Act and does not include withdrawn applications where no decision is made.

Directorate	Percentage of decisions published on disclosure log in 2021-22
ACT Health Directorate	93 per cent
Canberra Health Services	75 per cent
Canberra Institute of Technology	100 per cent
Chief Minister, Treasury and Economic Development Directorate	95 per cent
Community Services Directorate	20 per cent
Education Directorate	42 per cent
Environment, Planning and Sustainable Development	99 per cent
Justice and Community Safety Directorate	55 per cent
Major Projects Canberra	100 per cent
Transport Canberra and City Services	61 per cent

- (3) Directorates apply various quality assurance processes to maintain the accuracy of their disclosure logs, including checking information as it is published and at the end of the financial year in preparation for annual reporting. There is no formal whole of Government auditing procedure in place.
- (4) As above.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature: 

Date: 5 / 9 / 22

By the Special Minister of State, Chris Steel MLA