

LEGISLATIVE COUNCIL

FREEDOM OF INFORMATION AMENDMENT (FREEDOM OF INFORMATION
COMMISSIONER) BILL 2011

(Amendments to be proposed in Committee by Mr Pakula)

1. Clause 6, line 16, after "agencies" insert "or Ministers".
2. Clause 6, page 5, line 33, omit "not exceeding" and insert "not less than".
3. Clause 6, page 7, line 28, after "resolution" insert "passed by an absolute majority".
4. Clause 6, page 10, line 3, omit "Minister" and insert "Freedom of Information Commissioner".
5. Clause 6, page 10, line 23, omit "Minister" and insert "Freedom of Information Commissioner".
6. Clause 11, omit this clause.
7. Clause 13, line 10, after "agency" insert "or Minister".
8. Clause 13, line 14, after "agency" insert "or Minister".
9. Clause 13, line 16, after "agency" insert "or Minister".
10. Clause 13, line 25, after "agency" insert "or Minister".
11. Clause 13, lines 28 to 30, omit all words and expressions on these lines.
12. Clause 13, page 14, lines 1 to 13, omit all words and expressions on these lines.
13. Clause 13, page 14, line 34, after "agency" insert "or Minister".
14. Clause 13, page 15, line 6, after "agency to which" insert ", or the Minister to whom,".
15. Clause 13, page 15, line 12, after "agency" insert "or Minister".
16. Clause 13, page 15, line 17, after "agency" insert "or Minister".
17. Clause 13, page 16, line 15, after "agency" insert "or Minister (as the case requires)".
18. Clause 13, page 17, line 1, after "**Agency**" insert "**or Minister**".
19. Clause 13, page 17, line 3, after "agency that" insert "or Minister who".
20. Clause 13, page 17, line 13, after "agency" insert "or Minister".
21. Clause 13, page 18, line 1, omit "30" and insert "14".
22. Clause 13, page 18, line 14, after "**agency**" insert "**or Minister**".
23. Clause 13, page 18, line 19, after "agency" insert "or Minister".

24. Clause 13, page 18, line 21, after "agency" insert "or Minister (as the case requires)".
25. Clause 13, page 18, line 25, omit "45" and insert "28".
26. Clause 13, page 18, line 26, after "agency" insert "or Minister".
27. Clause 13, page 19, line 1, after "agency" insert "or Minister".
28. Clause 13, page 19, line 8, after "agency" insert "or Minister".
29. Clause 13, page 19, line 10, after "agency" insert "or Minister".
30. Clause 13, page 19, line 14, omit "Subject to subsection (9), if" and insert "If".
31. Clause 13, page 19, line 14, after "agency" insert "or Minister".
32. Clause 13, page 19, line 24, omit "30" and insert "14".
33. Clause 13, page 20, line 1, omit "Subject to subsection (9), if" and insert "If".
34. Clause 13, page 20, line 1, after "agency" insert "or Minister".
35. Clause 13, page 20, lines 17 to 22, omit all words and expressions on these lines.
36. Clause 13, page 20, line 23, after "**agency**" insert "**or Minister**".
37. Clause 13, page 20, line 25, after "agency" insert "or Minister".
38. Clause 13, page 20, line 29, after "agency" insert "or Minister".
39. Clause 13, page 20, line 32, after "agency" insert "or Minister".
40. Clause 13, page 21, line 1, omit "Subject to subsection (5), if" and insert "If".
41. Clause 13, page 21, line 1, after "agency" insert "or Minister".
42. Clause 13, page 21, line 12, after "agency" insert "or Minister".
43. Clause 13, page 21, lines 14 to 19, omit all words and expressions on these lines.
44. Clause 13, page 21, line 20, omit "(6)" and insert "(5)".
45. Clause 13, page 22, line 25, after "agency" insert "or Minister".
46. Clause 13, page 22, line 30, after "agency" insert "or Minister".
47. Clause 13, page 23, line 3, after "agency" insert "or Minister".
48. Clause 13, page 23, line 5, omit "60" and insert "28".
49. Clause 13, page 23, line 8, omit "60" and insert "28".
50. Clause 13, page 23, line 24, after "agency" insert "or Minister".
51. Clause 13, page 24, line 26, after "agency" insert ", or the Minister,".

52. Clause 15, lines 9 to 12, omit all words and expressions on these lines.
53. Clause 15, line 13, omit "(b)" and insert "(a)".
54. Clause 15, line 17, omit "(c)" and insert "(b)".
55. Clause 15, line 20, omit "(d)" and insert "(c)".
56. Clause 15, line 20, after "agency" insert "or Minister".
57. Clause 15, lines 27 to 34, omit all words and expressions on these lines.
58. Clause 15, page 26, line 1, omit "(g)" and insert "(d)".
59. Clause 15, page 26, lines 30 and 31, omit "or a principal officer of an agency or a Minister".
60. Clause 15, page 27, line 4, after "agency" insert "or Minister".
61. Clause 15, page 27, line 7, after "agency" insert "or Minister".
62. Clause 15, page 27, line 9, after "agency" insert "or Minister".
63. Clause 15, page 27, line 16, omit "(b) or (c)" and insert "(a) or (b)".
64. Clause 15, page 27, line 19, after "agency" insert "or Minister".
65. Clause 15, page 27, line 27, after "agency" insert "or Minister".
66. Clause 18, line 5, omit "(a), (e), (f) or (g)" and insert "(d)".
67. Clause 18, lines 20 to 25, omit all words and expressions on these lines.
68. Clause 18, line 26, omit "(5)" and insert "(4)".
69. Clause 18, line 27, omit "(b) or (c)" and insert "(a) or (b)".
70. Clause 18, page 30, line 1, omit "(6)" and insert "(5)".
71. Clause 18, page 30, line 9, omit "(7)" and insert "(6)".
72. Clause 18, page 30, line 10, omit "(d)" and insert "(c)".
73. Clause 18, page 30, line 15, omit "(8)" and insert "(7)".
74. Clause 18, page 30, line 20, omit "(9)" and insert "(8)".
75. Clause 18, page 30, line 21, omit "60" and insert "28".
76. Clause 18, page 30, line 24, after "agency" insert "or Minister".
77. Clause 20, line 34, omit "(a), (b) or (d)" and insert "(a) or (c)".
78. Clause 24, page 37, lines 34 to 36, omit "(other than a document that an agency claims to be exempt under section 28 or 29A)".

79. Clause 24, page 38, lines 3 to 6, omit "(other than information that if included in a document would make that document exempt under section 28 or 29A)".
80. Clause 24, page 39, line 1, omit "less" and insert "more".
81. Clause 24, page 42, after line 8 insert—
- "(9) The Freedom of Information Commissioner must transmit a document containing the Commissioner's final recommendations and comments under this section to each House of Parliament to be laid before that House within 5 sitting days after the document is given to the agency or Minister under this section."
82. Clause 29, page 45, lines 10 to 12, omit "unless it is a document claimed to be exempt under section 28 or 29A".
83. Clause 29, page 46, line 20, omit "28, 29A or".
84. Clause 29, page 46, lines 24 and 25, omit "28, 29A or".
85. Clause 30, page 49, line 23, omit "Act." and insert "Act;".
86. Clause 30, page 49, after line 23 insert—
- "(n) any other facts that indicate an effort by an agency or Minister to hinder or frustrate the spirit and intention of this Act."
87. Clause 30, page 50, line 16, after "agencies" insert "or Ministers".
88. Clause 52, lines 15 and 16, omit "(a), (b), (d) or (e)" and insert "(a) or (c)".