



New South Wales

# Government Information (Public Access) Amendment Regulation 2014

under the

Government Information (Public Access) Act 2009

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Government Information (Public Access) Act 2009*.

BRAD HAZZARD, MP  
Attorney General

## Explanatory note

The objects of this Regulation are as follows:

- (a) to update the list of agencies that are declared to be part of other agencies for the purposes of the *Government Information (Public Access) Act 2009*,
- (b) to prescribe the specific information about overseas travel undertaken by a Minister that is open access information of that Minister,
- (c) to prescribe standards, codes or other publications applied, adopted or incorporated by reference in legislation administered by a Government Department to be open access information of that Department,
- (d) to require information about access applications that are received by an agency and then transferred to another agency to be included in the initial agency's annual report.

This Regulation is made under the *Government Information (Public Access) Act 2009*, including sections 18, 125 and 129 (the general regulation-making power) and clause 6 of Schedule 4 to the Act.

## **Government Information (Public Access) Amendment Regulation 2014**

under the

Government Information (Public Access) Act 2009

### **1 Name of Regulation**

This Regulation is the *Government Information (Public Access) Amendment Regulation 2014*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Government Information (Public Access) Regulation 2009**

### **[1]    Clause 5 Additional open access information of certain agencies**

Omit clause 5 (1) (b). Insert instead:

- (b) the following details concerning overseas travel undertaken by the Minister:
  - (i) the portfolio to which the travel relates,
  - (ii) the purpose and anticipated benefits to New South Wales of the travel,
  - (iii) the destinations visited,
  - (iv) the dates of travel,
  - (v) the number of persons who accompanied the Minister (including Ministerial advisors, agency staff and family members),
  - (vi) the total cost of airfares,
  - (vii) the total cost of accommodation,
  - (viii) the total cost of other travel expenses (including travel allowances).

### **[2]    Clause 5 (2) (e)**

Insert after clause 5 (2) (d):

- (e) any standard, code or other publication that has been applied, adopted or incorporated by reference in any Act or statutory rule that is administered by the Department.

### **[3]    Clause 14 Savings and transitional provisions**

Insert after clause 14 (2):

#### **(2A)    Application of relevant 2014 amendments**

If an access application has been made (but not finally determined) immediately before the commencement of a relevant 2014 amendment and the agency that received the application ceases to be responsible for the application as a consequence of the amendment, that agency is taken to be the agency responsible for the application if the agency is satisfied that it is the most appropriate agency to deal with the application.

#### **(2B)    Section 45 (2) of the Act does not apply in relation to an agency-initiated transfer if:**

- (a) the access application in respect of the transfer was made (but not finally determined) immediately before the commencement of a relevant 2014 amendment, and
- (b) the agency that received the access application ceased to be responsible for the application as a consequence of the amendment, and
- (c) the agency that received the access application transfers the application to the agency that is responsible for the application as a consequence of the amendment by an agency-initiated transfer.

**[4] Clause 14 (3)**

Insert in alphabetical order:

*relevant 2014 amendment* means an amendment made by the *Government Information (Public Access) Amendment Regulation 2014*.

**[5] Schedule 2 Statistical information about access applications to be included in annual report**

Insert at the end of the Schedule:

<b>Table 1: Applications transferred to other agencies under Division 2 of Part 4 of the Act (by type of transfer)</b>	
	<b>Number of applications transferred</b>
Agency-initiated transfers	
Applicant-initiated transfers	

**[6] Schedule 3**

Omit the Schedule. Insert instead:

**Schedule 3 Agencies declared to be part of other agencies**

(Clause 12)

<b>Subsidiary agency</b>	<b>Parent agency</b>
Aboriginal and Torres Strait Islander Health Practice Council of New South Wales	Ministry of Health
Advisory committee established under the <i>Food Act 2003</i>	Department of Trade and Investment, Regional Infrastructure and Services
Advisory committee established under the <i>National Parks and Wildlife Act 1974</i>	Office of Environment and Heritage
Advisory committee established under the <i>Noxious Weeds Act 1993</i>	Department of Trade and Investment, Regional Infrastructure and Services
Advisory committee or consultation forum established under the <i>Protection of the Environment Administration Act 1991</i>	Office of Environment and Heritage
Agricultural industry services committee constituted by the <i>Agricultural Industry Services Act 1998</i>	Department of Trade and Investment, Regional Infrastructure and Services
Agricultural Scientific Collections Trust	Department of Trade and Investment, Regional Infrastructure and Services
Animal Research Review Panel	Department of Trade and Investment, Regional Infrastructure and Services
Anti-Discrimination Board	Department of Justice
Australian Music Examinations Board NSW	Office of the Board of Studies
Belgenny Farm Trust	Department of Trade and Investment, Regional Infrastructure and Services

<b>Subsidiary agency</b>	<b>Parent agency</b>
Biological Diversity Advisory Council	Office of Environment and Heritage
Board of Surveying and Spatial Information	Office of Finance and Services
Board of the Environment Protection Authority	Environment Protection Authority
Botany Cemetery Trust	Department of Trade and Investment, Regional Infrastructure and Services
Building and Construction Industry Long Service Payments Committee	Treasury
Building Insurers' Guarantee Corporation	NSW Self Insurance Corporation
Building Professionals Board	Department of Planning and Environment
Bush Fire Co-ordinating Committee	Office of the NSW Rural Fire Service
Cape Byron State Conservation Area Trust	Office of Environment and Heritage
Carers Advisory Council	Department of Family and Community Services
Central Coast Regional Development Corporation	Department of Planning and Environment
Charity Referee appointed under the <i>Dormant Funds Act 1942</i>	Department of Justice
Child Death Review Team	Office of the Ombudsman
Children's Court	Department of Justice
Children's Court Advisory Committee	Department of Justice
Children's Court Clinic	Department of Justice
Chinese Medicine Council of New South Wales	Ministry of Health
Chipping Norton Lake Authority	Department of Trade and Investment, Regional Infrastructure and Services
Chiropractic Council of New South Wales	Ministry of Health
Civil and Administrative Tribunal	Department of Justice
Combat Sports Authority	Office of Sport
Commissioner of the Land and Environment Court	Department of Justice
Committee of inquiry established under the <i>Energy and Utilities Administration Act 1987</i>	Department of Trade and Investment, Regional Infrastructure and Services
Committee of Review appointed under the <i>Health Services Act 1997</i>	Ministry of Health
Contract of Carriage Tribunal	Department of Justice
Coroner (including the State Coroner and Deputy State Coroner)	Department of Justice
Costs assessor appointed under the <i>Legal Profession Act 2004</i>	Department of Justice
Crown Solicitor's Office	Department of Justice
Dental Council of New South Wales	Ministry of Health
Disability Council under the <i>Community Welfare Act 1987</i>	Department of Family and Community Services
District Court	Department of Justice

<b>Subsidiary agency</b>	<b>Parent agency</b>
Drug Court	Department of Justice
Duke of Edinburgh Award Scheme (NSW State Committee)	Department of Education and Communities
Dumaresq-Barwon Border Rivers Commission	Department of Trade and Investment, Regional Infrastructure and Services
Dust Diseases Tribunal	Department of Justice
Electrical Equipment Safety Advisory Committee	Office of Finance and Services
Electricity Tariff Equalisation Ministerial Corporation	Treasury
Energy Corporation	Department of Trade and Investment, Regional Infrastructure and Services
Environmental Trust	Office of Environment and Heritage
Exhibited Animals Advisory Committee	Department of Trade and Investment, Regional Infrastructure and Services
Fair Trading Administration Corporation	Office of Finance and Services
Fair Trading Advisory Council	Office of Finance and Services
Financial Counselling Trust Fund	Office of Finance and Services
Fluoridation of Public Water Supplies Advisory Committee	Ministry of Health
Geographical Names Board	Office of Finance and Services
Government Property NSW	Office of Finance and Services
Hardship Review Board constituted under the <i>Fines Act 1996</i>	Office of Finance and Services
Hardship Review Board constituted under the <i>Taxation Administration Act 1996</i>	Office of Finance and Services
Health Administration Corporation	Ministry of Health
Heritage Council of New South Wales	Office of Environment and Heritage
Home Building Advisory Council	Office of Finance and Services
Home Care Service of New South Wales	Department of Family and Community Services
Home Warranty Insurance Scheme Board	Office of Finance and Services
Homebush Motor Racing Authority	Office of Destination NSW
Hunter and Central Coast Joint Planning Panel	Department of Planning and Environment
Hunter Development Corporation	Department of Planning and Environment
Hunter River Salinity Trading Scheme	Environment Protection Authority
Independent Liquor and Gaming Authority	Department of Trade and Investment, Regional Infrastructure and Services
Industrial Committee established under the <i>Industrial Relations Act 1996</i>	Department of Justice
Industrial Registrar	Department of Justice
Industrial Relations Commission	Department of Justice

<b>Subsidiary agency</b>	<b>Parent agency</b>
Lake Illawarra Authority	Department of Trade and Investment, Regional Infrastructure and Services
Land and Environment Court	Department of Justice
Law Reform Commission	Department of Justice
Legal Profession Admission Board	Department of Justice
Legal Services Commissioner	Department of Justice
Liability Management Ministerial Corporation	Treasury
Library Council of New South Wales	Department of Trade and Investment, Regional Infrastructure and Services
Local Court	Department of Justice
Local Government Boundaries Commission	Department of Premier and Cabinet
Local Government Grants Commission	Department of Premier and Cabinet
Local Government Remuneration Tribunal	Department of Premier and Cabinet
Local land board under the <i>Crown Lands Act 1989</i>	Department of Trade and Investment, Regional Infrastructure and Services
Long Service Corporation	Treasury
Marine Parks Authority	Department of Trade and Investment, Regional Infrastructure and Services
Medical Committee constituted under the <i>Poisons and Therapeutic Goods Act 1966</i>	Ministry of Health
Medical Radiation Practice Council of New South Wales	Ministry of Health
Medical Services Committee established under the <i>Health Administration Act 1982</i>	Ministry of Health
Mental Health Review Tribunal	Ministry of Health
Mine Subsidence Board	Department of Trade and Investment, Regional Infrastructure and Services
Mining Competence Board	Department of Trade and Investment, Regional Infrastructure and Services
Ministerial Corporation for Industry	Department of Trade and Investment, Regional Infrastructure and Services
Motor Vehicle Industry Advisory Council	Office of Finance and Services
Motor Vehicle Repair Industry Authority	Office of Finance and Services
National Parks and Wildlife Advisory Council	Office of Environment and Heritage
New South Wales Biological Control Authority	Department of Trade and Investment, Regional Infrastructure and Services
New South Wales Council on Environmental Education	Office of Environment and Heritage
New South Wales Film and Television Office (also known as Screen NSW)	Department of Trade and Investment, Regional Infrastructure and Services
New South Wales Government Telecommunications Authority (also known as TELCO)	Office of Finance and Services

<b>Subsidiary agency</b>	<b>Parent agency</b>
New South Wales Innovation and Productivity Council	Department of Trade and Investment, Regional Infrastructure and Services
New South Wales Land and Housing Corporation	Department of Family and Community Services
New South Wales Rural Assistance Authority	Department of Trade and Investment, Regional Infrastructure and Services
New South Wales Sentencing Council	Department of Justice
Non-Indigenous Animals Advisory Committee	Department of Trade and Investment, Regional Infrastructure and Services
Northern Region Joint Planning Panel	Department of Planning and Environment
NSW Adult Migrant English Service	Department of Education and Communities
NSW Coastal Panel	Office of Environment and Heritage
NSW Food Authority	Department of Trade and Investment, Regional Infrastructure and Services
NSW Procurement Board	Office of Finance and Services
NSW Self Insurance Corporation	Office of Finance and Services
NSW Skills Board	Department of Education and Communities
Nursing and Midwifery Council of New South Wales	Ministry of Health
Occupational Therapy Council of New South Wales	Ministry of Health
Optometry Council of New South Wales	Ministry of Health
Osteopathy Council of New South Wales	Ministry of Health
Parliamentary Remuneration Tribunal	Department of Premier and Cabinet
Parramatta Park Trust	Office of Environment and Heritage
Physiotherapy Council of New South Wales	Ministry of Health
Planning administrator appointed under section 118 of the <i>Environmental Planning and Assessment Act 1979</i>	The local authority whose functions the planning administrator was appointed to exercise
Planning assessment panel appointed under section 118 of the <i>Environmental Planning and Assessment Act 1979</i>	The local authority whose functions the planning assessment panel was appointed to exercise
Podiatry Council of New South Wales	Ministry of Health
Poisons Advisory Committee	Ministry of Health
Products Safety Committee	Office of Finance and Services
Professional Standards Committee for nurses and midwives	Ministry of Health
Professional Standards Council	Department of Justice
Property Services Advisory Council	Office of Finance and Services
Psychology Council of New South Wales	Ministry of Health
Public Defender (including the Senior Public Defender and Deputy Senior Public Defenders)	Department of Justice



<b>Subsidiary agency</b>	<b>Parent agency</b>
Public Guardian	NSW Trustee and Guardian
Radiation Advisory Council	Environment Protection Authority
Registrar under the <i>Aboriginal Land Rights Act 1983</i>	Department of Education and Communities
Rental Bond Board	Office of Finance and Services
Reserve trust established under the <i>Crown Lands Act 1989</i>	Office of Finance and Services
Retirement Villages Advisory Council	Office of Finance and Services
Review panel established under the <i>Gas Supply Act 1996</i>	Department of Trade and Investment, Regional Infrastructure and Services
Rural Fire Service Advisory Council	Office of the NSW Rural Fire Service
Serious Offenders Review Council	Department of Justice
Small Business Commissioner	Department of Trade and Investment, Regional Infrastructure and Services
Southern Region Joint Planning Panel	Department of Planning and Environment
State Aviation Working Group	Department of Transport
State Parole Authority	Department of Justice
Statutory and Other Offices Remuneration Tribunal	Department of Premier and Cabinet
Stewart House Preventorium	Department of Education and Communities
Supreme Court	Department of Justice
Sydney East Joint Planning Panel	Department of Planning and Environment
Sydney West Joint Planning Panel	Department of Planning and Environment
Teacher Housing Authority of New South Wales	Office of Finance and Services
Trust established in respect of a common under the <i>Commons Management Act 1989</i>	Department of Trade and Investment, Regional Infrastructure and Services
Trustees of the Anzac Memorial Building	Department of Premier and Cabinet
Trustees of the Farrer Memorial Research Scholarship Fund	Department of Trade and Investment, Regional Infrastructure and Services
Trustees of the Parliamentary Contributory Superannuation Fund	Office of Finance and Services
Trustees of the West Scholarship Scheme	Department of Education and Communities
Victims Advisory Board	Department of Justice
Vocational Training Review Panel	Department of Education and Communities
Waste Assets Management Corporation	Office of Finance and Services
Western Region Joint Planning Panel	Department of Planning and Environment
Wild Dog Destruction Board	Department of Trade and Investment, Regional Infrastructure and Services
Workers Compensation Commission	Office of Finance and Services
Workers' Compensation (Dust Diseases) Board	Office of Finance and Services