

# Freedom of Information Regulation 2000

[2000-138]



New South Wales

## Status Information

### Currency of version

Historical version for 23 January 2004 to 16 December 2004 (accessed 18 July 2024 at 2:23)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**
  - [Occupational Health and Safety Amendment \(Dangerous Goods\) Act 2003 No 38](#) (not commenced)
  - [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2004 No 91](#) (not commenced — to commence on 1.1.2005)
  - [Crimes \(Administration of Sentences\) Amendment \(Parole\) Act 2004 No 94](#) (not commenced)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 15 December 2004

# Freedom of Information Regulation 2000



New South Wales

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# Freedom of Information Regulation 2000



New South Wales

## 1 Name of Regulation

This Regulation is the *Freedom of Information Regulation 2000*.

## 2 Commencement

This Regulation commences on 1 April 2000.

## 3 Definition

(1) In this Regulation:

**the Act** means the *Freedom of Information Act 1989*.

(2) The explanatory note and table of contents do not form part of this Regulation.

## 4 Principal offices: sec 6

For the purposes of paragraph (b) of the definition of **principal officer** in section 6 (1) of the Act, it is declared that, for each public authority referred to in Schedule 1, the office specified in that Schedule in respect of that authority is the principal office.

## 5 Responsible Ministers: sec 6

(1) For the purposes of paragraph (c) of the definition of **responsible Minister** in section 6 (1) of the Act, it is declared that, for each public authority referred to in Part 1 of Schedule 2, the Minister specified in that Part in respect of that authority is the responsible Minister.

(2) For the purposes of paragraph (h) of the definition of **responsible Minister** in section 6 (1) of the Act, it is declared that, for each public office referred to in Part 2 of Schedule 2, the Minister specified in that Part in respect of that office is the responsible Minister.

## 6 Public authorities: sec 7

(1) For the purposes of section 7 (1) (b) of the Act, each body referred to in Part 1 of Schedule 3 is declared to be a public authority.

- (2) For the purposes of section 7 (1) (c) of the Act, each body referred to in Part 2 of Schedule 3 is declared to be a public authority.
- (3) For the purposes of section 7 (3) of the Act, each body referred to in Part 3 of Schedule 3 is declared not to be a separate public authority but is taken to be included in the agency specified in that Part in respect of that body.

#### **7 Public offices: sec 8**

- (1) For the purposes of section 8 (1) (b) of the Act, each office referred to in Part 1 of Schedule 4 is declared to be a public office.
- (2) For the purposes of section 8 (2) of the Act, each office referred to in Part 2 of Schedule 4 is declared not to be a separate public office but is taken to be included in the agency specified in that Part in respect of that office.

#### **8 Documents in certain agencies: sec 11**

For the purposes of section 11 (1) (e) of the Act, each agency referred to in Schedule 5 is a prescribed agency.

#### **9 Reports to Parliament**

- (1) An annual report prepared by an agency:
  - (a) must include the required information for the year concerned, and
  - (b) must also include an assessment of that information.
- (2) The required information must be set out in the form required by the relevant section of Appendix B to the FOI Manual.
- (3) An assessment of the required information for a particular year must include:
  - (a) a comparison of that information with the required information for the previous year, and
  - (b) an assessment of the impact during that year on the agency's activities of the FOI requirements, and
  - (c) particulars of any major issues that have arisen during that year in connection with the agency's compliance with the FOI requirements, and
  - (d) particulars of the circumstances in which there have been any investigations under the Act by the Ombudsman or any applications for review under the Act to the Administrative Decisions Tribunal or the Supreme Court, and
  - (e) particulars of the outcomes of any such investigations and applications for review.
- (4) In this clause:

**FOI Manual** means the document entitled *Freedom of Information Manual*, published from time to time by the Premier’s Department and the Ombudsman’s Office, copies of which are available at the Premier’s Department and the Ombudsman’s Office. The Manual is also accessible on the Premier’s Department’s Internet Web site.

**FOI requirements**, in relation to an agency, means the requirements imposed on the agency by the Act.

**required information** means the information required by sections A–L of Appendix B to the FOI Manual.

## 10 Repeal

- (1) The *Freedom of Information (General) Regulation 1995* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Freedom of Information (General) Regulation 1995*, had effect under that Regulation, continues to have effect under this Regulation.

## Schedule 1 Principal offices

(Clause 4)

| Public authority  | Principal office  |
|---|---|
| Area health service constituted under the <i>Health Services Act 1997</i> | Chief Executive Officer                                   |
| Building and Construction Industry Long Service Payments Corporation      | Director  |
| Charles Sturt University  | Vice-Chancellor   |
| Dental Board  | Registrar   |
| Dental Care Assessment Committee  | Registrar, Dental Board                                   |
| Fair Rents Board  | Director-General, Department of Fair Trading              |
| Home Care Service   | General Manager   |
| Macquarie University  | Vice-Chancellor   |
| Medical Tribunal  | Registrar, NSW Medical Board                              |
| New South Wales Lotteries Corporation                                     | Chief Executive Officer                                   |
| New South Wales Medical Board   | Registrar   |
| New South Wales Scientific Corporation                                    | Chairperson of the New South Wales Scientific Corporation |
| Pharmacy Board  | Registrar   |

|   |  |
|---|--|
| Professional Standards Committee constituted under the <i>Medical Practice Act 1992</i>   | Registrar, NSW Medical Board                 |
| Professional Standards Committee constituted under the <i>Pharmacy Act 1964</i>   | Registrar, Pharmacy Board                    |
| Recognised establishment or recognised service of an affiliated health organisation that is listed in Column 2 of Schedule 3 to the <i>Health Services Act 1997</i> | Chief Executive Officer                      |
| The Rental Bond Board   | Director-General, Department of Fair Trading |
| Residual Business Management Corporation  | General Manager                              |
| Southern Cross University   | Vice-Chancellor                              |
| Statutory health corporation constituted under the <i>Health Services Act 1997</i>  | Chief Executive Officer                      |
| Sydney Opera House Trust  | General Manager                              |
| TAFE Commission   | Managing Director                            |
| University of Newcastle   | Vice-Chancellor                              |
| University of New England   | Vice-Chancellor                              |
| University of New South Wales   | Vice-Chancellor and Principal                |
| University of Sydney  | Vice-Chancellor and Principal                |
| University of Technology, Sydney  | Vice-Chancellor                              |
| University of Western Sydney  | Vice-Chancellor                              |
| University of Wollongong  | Vice-Chancellor                              |
| Waterways Authority   | Chief Executive Officer                      |
| Zoological Parks Board  | Director                                     |

## Schedule 2 Responsible Ministers

(Clause 5)

### Part 1 Public authorities

| Public authority                  | Responsible Minister                |
|-----------------------------------|-------------------------------------|
| Adult Migrant English Service     | Minister for Education and Training |
| Home Care Service                 | Minister for Community Services     |
| Music Examinations Advisory Board | Minister for Education and Training |

## Part 2 Public offices

| Public office   | Responsible Minister |
|---|----------------------|
| Office of the Protective Commissioner and Public Guardian | Attorney General     |

## Schedule 3 Public authorities

(Clause 6)

### Part 1 Bodies established for a public purpose

### Part 2 Bodies established by the Governor etc

Adult Migrant English Service  
Australian Capital Region Development Committee  
Board of Adult and Community Education  
Bush Fire and Flood Relief Committee  
Duke of Edinburgh Award Scheme (NSW State Committee)  
Information Industries Advisory Council  
Music Examinations Advisory Board  
Regional Development Boards

### Part 3 Bodies taken to be included in other agencies

| Body   | Agency                              |
|--|-------------------------------------|
| Aboriginal Justice Advisory Committee  | Attorney General's Department       |
| Aboriginal Land Councils Pecuniary Interest Tribunal   | Department of Aboriginal Affairs    |
| Advisory committee or consultation forum established under the <a href="#">Protection of the Environment Administration Act 1991</a> | Environment Protection Authority    |
| Advisory committee established under the <a href="#">National Parks and Wildlife Act 1974</a>  | National Parks and Wildlife Service |
| Agricultural industry services committee constituted by the <a href="#">Agricultural Industry Services Act 1998</a>                  | Department of Agriculture           |
| Air Transport Council  | Department of Transport             |
| Animal Research Review Panel   | Department of Agriculture           |
| Animal Welfare Advisory Council  | Department of Agriculture           |
| Anti-Discrimination Board  | Attorney General's Department       |
| Biological Diversity Advisory Council  | National Parks and Wildlife Service |

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| Board of Adult and Community Education   | Department of Education and Training                                 |
| Board of Environment Protection Authority  | Environment Protection Authority                                     |
| Board of Examiners   | Department of Mineral Resources                                      |
| Board of Optometrical Registration   | Department of Health   |
| Board referred to in section 50 of the <i>Land Tax Management Act 1956</i>             | The Treasury   |
| Board of Reference established under the <i>Boiler and Pressure Vessel Regulations</i> | WorkCover Authority  |
| Board of Reference established under the <i>Construction Safety Act 1912</i>           | WorkCover Authority  |
| Board of Review—Pay Roll Tax   | The Treasury   |
| Board of Review—Duties   | The Treasury   |
| Board of Surveyors   | Department of Information Technology and Management                  |
| Board of Tick Control  | Department of Agriculture  |
| Board of Vocational Education and Training   | Department of Education and Training                                 |
| Bookmakers Revision Committee  | Department of Gaming and Racing                                      |
| Botany Cemetery Trust  | Department of Land and Water Conservation                            |
| Boxing Authority   | Department of Sport and Recreation                                   |
| Building and Construction Industry Long Service Payments Committee                     | Building and Construction Industry Long Service Payments Corporation |
| Building Regulations Advisory Council  | Department of Urban Affairs and Planning                             |
| Bushfire Co-ordinating Committee   | NSW Rural Fire Service   |
| Bush Fire and Flood Relief Committee   | Department of Community Services                                     |
| Charity Referee appointed under the <i>Dormant Funds Act 1942</i>                      | Attorney General's Department  |
| Chipping Norton Lake Authority   | Department of Land and Water Conservation                            |
| Chiropractors and Osteopaths Registration Board  | Department of Health   |
| Chiropractors and Osteopaths Tribunal  | Department of Health   |
| Coal Compensation Board  | Department of Mineral Resources                                      |
| Coal Mine Qualifications Board   | Department of Mineral Resources                                      |
| Committee of inquiry established under the <i>Energy Administration Act 1987</i>       | Ministry of Energy and Utilities                                     |

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| Committee of Review established under the <i>Health Services Act 1997</i> | Department of Health                                |
| Community Justice Centres Council   | Attorney General's Department                       |
| Compensation Court  | Attorney General's Department                       |
| Contract of Carriage Tribunal   | Attorney General's Department                       |
| Co-operatives Council established under the <i>Co-operatives Act 1992</i> | Department of Fair Trading                          |
| Delegate District Hospital  | The Bombala District Hospital                       |
| Dental Technicians Registration Board                                     | Department of Health                                |
| Directorate of the Drug Offensive   | Department of Health                                |
| Disability Council  | Ageing and Disability Department                    |
| Duke of Edinburgh Award Scheme (NSW State Committee)                      | Ageing and Disability Department                    |
| Electrical Equipment Safety Committee                                     | Department of Fair Trading                          |
| Energy Corporation  | Ministry of Energy and Utilities                    |
| Engine Drivers and Boiler Attendants Examination Board                    | WorkCover Authority                                 |
| Environmental Trust   | Environment Protection Authority                    |
| Exhibited Animals Advisory Committee                                      | Department of Agriculture                           |
| Fair Trading Advisory Committee   | Department of Fair Trading                          |
| Fair Trading Advisory Tribunal  | Department of Fair Trading                          |
| Farrer Memorial Trust   | Department of Agriculture                           |
| Festival Development Corporation  | Department of Urban Affairs and Planning            |
| Financial Counselling Trust Fund  | Department of Fair Trading                          |
| Fluoridation of Public Water Supplies Advisory Committee                  | Department of Health                                |
| Food Advisory Committee   | Department of Health                                |
| Geographical Names Board  | Department of Information Technology and Management |
| Georges River Catchment REP Advisory Committee                            | Department of Urban Affairs and Planning            |
| Greater Western Sydney Economic Development Board                         | Department of State and Regional Development        |
| Guardianship Tribunal   | Ageing and Disability Department                    |
| Hazardous Chemicals Advisory Committee                                    | Environment Protection Authority                    |

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| Health Administration Corporation  | Department of Health                            |
| Heritage Council   | Heritage Office                                 |
| Home Building Advisory Council   | Department of Fair Trading                      |
| Hunter Economic Development Corporation  | Department of Business and Regional Development |
| Industrial Registrar   | Attorney General's Department                   |
| Industrial Relations Commission  | Attorney General's Department                   |
| Institute of Rural Studies   | Department of Agriculture                       |
| Joint Committee of Necropolis Trustees   | Department of Land and Water Conservation       |
| Juvenile Justice Advisory Board  | Department of Juvenile Justice                  |
| Lake Illawarra Authority   | Department of Land and Water Conservation       |
| Land and Housing Development Corporation   | Department of Urban Affairs and Planning        |
| Legal Practitioners' Admission Board   | Attorney General's Department                   |
| Legal Profession Advisory Council  | Attorney General's Department                   |
| Library Council  | State Library                                   |
| Licence Compliance Advisory Board  | Ministry of Energy and Utilities                |
| Licence Regulator (Water)  | Ministry of Energy and Utilities                |
| Liquor Administration Board  | Department of Gaming and Racing                 |
| Local Government Boundaries Commission   | Department of Local Government                  |
| Local Government Grants Commission   | Department of Local Government                  |
| Local Government Remuneration Tribunal   | Department of Local Government                  |
| Local Government Pecuniary Interest Tribunal   | Department of Local Government                  |
| Local land board under the <a href="#">Western Lands Act 1901</a>                              | Department of Land and Water Conservation       |
| Medical Committee established under the <a href="#">Poisons and Therapeutic Goods Act 1966</a> | Department of Health                            |
| Medical Services Committee   | Department of Health                            |
| Mental Health Review Tribunal  | Department of Health                            |
| MIA Citrus Fruit Marketing Committee   | Department of Agriculture                       |
| MIA Citrus Fruit Promotion Marketing Committee   | Department of Agriculture                       |
| Mines Rescue Board   | Department of Mineral Resources                 |
| Mines Subsidence Board   | Department of Mineral Resources                 |
| Mining Warden  | Department of Mineral Resources                 |

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| Ministerial Corporation for Industry                               | Department of State and Regional Development |
| Motor Trade Advisory Council                                       | Department of Fair Trading                   |
| Murray Valley (NSW) Wine Grape Industry Marketing Committee        | Department of Agriculture                    |
| Music Examinations Advisory Board                                  | Board of Studies                             |
| National Marine Safety Committee                                   | Waterways Authority                          |
| National Parks and Wildlife Advisory Council                       | National Parks and Wildlife Service          |
| New South Wales Council on Environmental Education                 | Environment Protection Authority             |
| New South Wales Innovation Council                                 | Department of State and Regional Development |
| New South Wales Law Reform Commission                              | Attorney General's Department                |
| Non-Indigenous Animals Advisory Committee                          | Department of Agriculture                    |
| Noxious Plants Advisory Committee                                  | Department of Agriculture                    |
| NSW Biological Control Authority                                   | Department of Agriculture                    |
| NSW Drug Offensive Council   | Department of Health                         |
| NSW Drug Offensive Foundation                                      | Department of Health                         |
| Nurses Registration Board  | Department of Health                         |
| Nurses Tribunal  | Department of Health                         |
| Occupational Health and Safety Council                             | WorkCover Authority                          |
| Office of Community Housing  | Department of Housing                        |
| Olympic Business Roundtable  | Department of State and Regional Development |
| Optical Dispensers Licensing Board                                 | Department of Health                         |
| Parole Board   | Department of Corrective Services            |
| Parliamentary Remuneration Tribunal                                | Premier's Department                         |
| Parramatta River Foreshores Improvement Program Advisory Committee | Department of Urban Affairs and Planning     |
| Penrith Lakes Scheme Monitoring Committee                          | Department of Urban Affairs and Planning     |
| Pest Control Licensing Committee                                   | WorkCover Authority                          |
| Physiotherapists Registration Board                                | Department of Health                         |
| Podiatrists Registration Board                                     | Department of Health                         |
| Poisons Advisory Committee   | Department of Health                         |
| Pool Fencing Advisory Committee                                    | Department of Local Government               |

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| Processing Tomato-Marketing Committee  | Department of Agriculture                    |
| Product Safety Committee   | Department of Fair Trading                   |
| Professional Standards Committee constituted under the <i>Chiropractors and Osteopaths Act 1991</i>  | Department of Health                         |
| Professional Standards Committee constituted under the <i>Nurses Act 1991</i>                        | Department of Health                         |
| Professional Standards Committee constituted under the <i>Physiotherapists Registration Act 1945</i> | Department of Health                         |
| Professional Standards Committee constituted under the <i>Psychologists Act 1989</i>                 | Department of Health                         |
| Professional Standards Council   | Attorney General's Department                |
| Property Services Advisory Council   | Department of Fair Trading                   |
| Psychologists Registration Board   | Department of Health                         |
| Psychosurgery Review Board   | Department of Health                         |
| Radiation Advisory Council   | Environment Protection Authority             |
| Radiological Advisory Council  | Environment Protection Agency                |
| Regional Development Board   | Department of State and Regional Development |
| Residential Tribunal   | Department of Fair Trading                   |
| Retail Leases Advisory Committee   | Department of State and Regional Development |
| Review Panel established under the <i>Gas Supply Act 1996</i>  | Ministry of Energy and Utilities             |
| Roads and Traffic Advisory Council   | Roads and Traffic Authority                  |
| Rural Assistance Authority   | Department of Agriculture                    |
| Rural Fire Service Advisory Council  | NSW Rural Fire Service                       |
| Rural Workers Accommodation Advisory Committee   | WorkCover Authority                          |
| School Forest Trust established under the <i>School Forest Areas Act 1936</i>                        | Department of Education and Training         |
| Serious Offenders Review Council   | Department of Corrective Services            |
| Serious Young Offenders Review Council   | Department of Juvenile Justice               |
| Small Business Development Corporation   | Department of State and Regional Development |
| South Sydney Development Corporation   | Department of Urban Affairs and Planning     |
| Sporting Injuries Committee  | WorkCover Authority                          |
| State Debt Recovery Office   | Attorney General's Department                |

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|---|---|
| Statutory and Other Offices Remuneration Tribunal   | Premier's Department                            |
| Sydney and Regional Centres Drinking Water Catchments REP Advisory Committee  | Department of Urban Affairs and Planning        |
| The Stewart House Preventorium, Curl Curl   | Department of Education and Training            |
| Stock Medicines Board   | Department of Agriculture                       |
| Teacher Housing Authority   | Department of Education and Training            |
| Theatrical Agencies, Employees and Performers Advisory Committee  | Department of Education and Training            |
| Therapeutic Goods and Cosmetics Advisory Committee  | Department of Health                            |
| Trustees of Anzac Memorial Building   | Premier's Department                            |
| Trustees of commons appointed under the <a href="#">Commons Management Act 1989</a>   | Department of Land and Water Conservation       |
| Trustees of reserves appointed under the <a href="#">Crown Lands Act 1989</a>   | Department of Land and Water Conservation       |
| Trustees of state recreation areas appointed under the <a href="#">National Parks and Wildlife Act 1974</a> in so far as the appointment relates to part of Burrinjuck State Recreation Area        | Department of Land and Water Conservation       |
| Trustees of state recreation areas appointed under the <a href="#">National Parks and Wildlife Act 1974</a> except in so far as the appointment relates to part of Burrinjuck State Recreation Area | National Parks and Wildlife Service             |
| Trustees of the Parliamentary Contributory Superannuation Fund  | The Treasury                                    |
| Trustees of the West Scholarship Scheme   | Department of Education and Training            |
| Veterinary Surgeons Investigating Committee   | Board of Veterinary Surgeons of New South Wales |
| Vocational Education and Training Accreditation Board   | Department of Education and Training            |
| Vocational Training Board   | Department of Education and Training            |
| Wild Dog Destruction Board  | Department of Land and Water Conservation       |
| Wine Grapes Processing Industry Negotiating Committee   | Department of Agriculture                       |
| Workers Compensation Advisory Council   | WorkCover Authority                             |
| Workers Compensation Premiums Rating Bureau   | WorkCover Authority                             |
| Workers Compensation (Dust Diseases) Board  | WorkCover Authority                             |
| Youth Justice Advisory Council  | Department of Juvenile Justice                  |

## Schedule 4 Public offices

(Clause 7)

### Part 1 Offices to which appointments are made by the Governor or a Minister

### Part 2 Offices taken to be included in other agencies

| Body  | Agency                           |
|---|----------------------------------|
| Chief Inspector of Coal Mines   | Department of Mineral Resources  |
| Chief Inspector of Dangerous Goods (in respect of Division 2 of Part 3 of the <i>Dangerous Goods Act 1975</i> ) | Environment Protection Authority |
| Director of Equal Opportunity in Public Employment  | Premier's Department             |
| Director of Liquor and Gaming   | Department of Gaming and Racing  |
| Legal Services Commissioner   | Attorney General's Department    |
| Registrar appointed under the <i>Aboriginal Land Rights Act 1983</i>  | Department of Aboriginal Affairs |
| Registrar of Funeral Funds appointed under the <i>Funeral Funds Act 1979</i>                                    | Department of Fair Trading       |
| Privacy Commissioner  | Attorney General's Department    |

## Schedule 5 Prescribed agencies

(Clause 8)

The Audit Office  
The Ombudsman's Office