

LEGAL AFFAIRS — FREEDOM OF INFORMATION AMENDMENT REGULATIONS 2021

102. Hon Nick Goiran to the parliamentary secretary representing the Attorney General:

I refer to the *Freedom of Information Amendment Regulations 2021*, and I ask:

- (a) what was the catalyst for bringing about these amendments to the regulations;
- (b) who was consulted prior to these amendment regulations being finalised;
- (c) did any person consulted raise any concerns;
- (d) if yes to (c), what were these concerns;
- (e) have the finalised amendment regulations addressed these concerns; and
- (f) if no to (e), why not?

Hon Matthew Swinbourn replied:

- (a) Section 100 of the Freedom of Information Act 1992 (FOI Act) requires that decisions under that Act by an agency are to be made by the “principal officer” of the agency, or an officer directed by the principal officer for that purpose. The Amendment Regulations were drafted at the request of the Minister for Health to identify the chief executive of each health service provider as the “principal officer” for the purposes of the FOI Act. This was to ensure a consistent approach to FOI applications made to health service providers and provide certainty as to the identity of principal officers.
- (b) The Department of Health and the Information Commissioner were consulted on, and supported, the Amendment Regulations.
- (c) No.
- (d)–(f) Not applicable.