

POLICY - RIGHT TO INFORMATION

Disclosure of Administrative Information disclosure under the *Right to Information Act 2009*

Right to Information Disclosures

The *Right to Information Act 2009* provides for greater access to information by:

- Authorising and encouraging greater routine disclosure of information held by public authorities without the need for requests or applications;
- Authorising and encouraging greater active disclosure of information held by public authorities in response to information requests without the need for applications;
- Giving members of the public an enforceable right to information held by public authorities; and
- Providing that access to information held by government bodies is restricted in only limited circumstances which are defined in the Act.

The Legal Profession Board of Tasmania (“the Board”) is a public authority.

The *Right to Information Act* excludes the application of the Act from the Board unless the information relates to the administration of the Board, s 6(1).

Why do we have a Right to Information Act?

The object of the *Right to Information Act* is to improve democratic government in Tasmania:

- by increasing the accountability of the executive to the people of Tasmania
- by increasing the ability of the people of Tasmania to participate in their governance, and
- by acknowledging that information collected by public authorities is collected for and on behalf of the people of Tasmania and is the property of the State.

This object is to be pursued by giving members of the public the right to obtain information held by the public authorities and Ministers.

This object is also to be pursued by giving members of the public the right to obtain information about the operations of Government.

How do I get access to information?

The Board is required by the *Right to Information Act 2009* to make administrative information available to the public through proactive disclosure, this means we routinely make administrative information available which will assist the public in understanding what it is we do and how we do it.

This may be done via our website, through publications (e.g. brochures, fact sheets and Annual Reports).

Applications for assessed disclosure

Applications for administrative information are to be addressed as follows:

Right to Information

Legal Profession Board of Tasmania

GPO Box 2335

HOBART TAS 7001

Download: [Right to Information – Application for Assessed Disclosure – Administrative Information](#).

If you are not using the form, please note that your application must be made in writing and include the information which is requested in the *Right to Information Act 2009*.

Applications are to be accompanied by an application fee. This fee is 25 fee units, which is **\$38.25** as at 01 July 2016 and is indexed annually.

You may apply to have the fee waived if:

- You are in financial hardship – for example you are on income support payments (we would usually ask to see evidence that you are in receipt of Centrelink or veterans affairs payments);
- You are a member of parliament and the application is in connection with your official duty; or
- You are able to provide information which shows that the information you seek is intended to be used for a purpose that is of general public interest or benefit.

Make sure you have looked for the information before you make a formal application, as should the information be otherwise available, your application may be refused without the return of your application fee.

What we will do once we have your application:

- We will check your application to make sure it is only requesting administrative information and that you have paid the application fee.
- We may transfer your application to another public authority if we do not believe we are best placed to provide you with the information.
- Before your application is accepted, we may need to contact you to ask you about your application, this will help us to understand your request.

- Once we have done these steps we will assess your application against the *Right to Information Act 2009* and let you know the outcome of that process in writing.
- You will be notified of the decision regarding your application for assessed disclosure as soon as practicable, but in no more than 20 working days from the application being accepted.
- If your request is complex, or for a large amount of information, we may ask you to give us more time.
- If there is a need to consult with a third party, more time is automatically given and we will let you know the outcome as soon as practicable, but no later than 40 working days – we will let you know if this is happening.
- If the application or part of the application is refused, then the reasons for the refusal to provide the information will be provided to you as part of the decision, together with details on the right to seek a review of the decision. Should you wish to seek a review of a decision, this may be done in writing to:
Principal Officer
Right to Information
Legal Profession Board of Tasmania
GPO Box 2335
HOBART TAS 7001
- If the Principal Officer assessing your request does not get back to you in the timeframe allowed then we are taken to have refused your application and you are able to make an application for review to the Ombudsman if you choose. Some information on reviews by the Ombudsman can be found on the [Office of the Ombudsman's website](#).

Right to Information Manual and Guidelines:

The Manual and Guidelines will provide you with a little more detail on making requests under the *Right to Information Act 2009* and how they are processed by an agency to which the request is sent.

These are available on the [Office of the Ombudsman's website](#).

Related Acts and Regulations:

You can view, download and print the following Acts and Regulations made available by the Tasmanian Legislation Online website.

[Right to Information Act 2009](#)

[Right to Information Regulations 2010](#)