

Appendix 7: Freedom of information

Statement under section 8 of the *Freedom of Information Act 1982*

This statement is made for the purposes of section 8 of the *Freedom of Information Act 1982* (Freedom of Information Act) and is correct as at 30 June 2007.

Subsections 8(1) and (3) of the Freedom of Information Act require Australian Government agencies to publish the following information:

- the organisation and functions of the agency;
- arrangements that exist for outside participation in agency decision-making;
- the categories of documents that the agency possesses; and
- how people can gain access to information held by the agency.

Organisation and functions

This statement should be read in conjunction with the detailed information contained in Chapter 2 of this Annual Report relating to the organisation, functions and powers of the Tribunal.

Arrangements for participation in agency decision-making

The Tribunal undertakes consultation in relation to proposals for changes to its case management process. Details of proposed changes are sent to regular users and other key stakeholders for comment. They are also made available on the Tribunal's website.

Members and staff of the Tribunal hold liaison meetings with users of the Tribunal and other stakeholders. Meetings may involve representatives of government departments and agencies whose decisions are reviewed by the Tribunal, legal practitioners and other persons who appear regularly before the Tribunal, community legal centres, legal aid bodies, veterans' representative groups and other representative bodies. Liaison meetings provide an opportunity for the Tribunal to seek feedback from users in relation to its

operations generally and also in relation to specific proposals for change.

The Tribunal welcomes comments on the standard of the service it provides. The Service Charter sets out the ways in which comments or complaints in relation to its operations may be made.

Categories of documents

The Tribunal maintains the following categories of documents:

- paper files relating to applications under the *Administrative Appeals Tribunal Act 1975*;
- paper files relating to requests for examinations under the *Proceeds of Crime Act 2002*;
- electronic case management systems containing information in relation to applications under the *Administrative Appeals Tribunal Act 1975* and requests for examinations under the *Proceeds of Crime Act 2002*;
- Tribunal decisions and reasons for decisions;
- lists of case events, including alternative dispute resolution processes, preliminary hearings and hearings conducted by the Tribunal and associated papers;
- Practice Directions issued by the President of the Tribunal;
- leaflets and other information materials relating to the review process, including the *Guide to the Workers' Compensation Jurisdiction*, the *Getting Decisions Right* video/DVD and an audio cassette for the visually impaired containing general information on the Tribunal;
- the Tribunal's Service Charter;
- reference materials, including the Registry Procedures Manual, user manuals for the Tribunal's electronic case management systems and the Tribunal jurisdiction list;
- administrative arrangements between the President of the Tribunal and the Commonwealth Ombudsman to facilitate mutual referral of matters where each body may have jurisdiction;

- administrative and personnel files, including files containing statistical information on the Tribunal's operations, documents relating to learning and development programs within the Tribunal and internal working documents and correspondence;
- annual reports on the Tribunal's operations;
- Personnel Directions to staff; and
- Chief Executive Instructions under the *Financial Management and Accountability Act 1997*.

The following categories of documents are available free of charge on request:

- Practice Directions;
- leaflets and other written information materials relating to the review process; and
- the Tribunal's Service Charter.

The following categories of documents are available for inspection upon request:

- public register of applications to the Tribunal produced from the Tribunal's electronic case management systems;
- once a hearing has been held in relation to an application, any transcripts of evidence given before the Tribunal as well as documents lodged with the Tribunal or received in evidence by the Tribunal unless disclosure of the documents has been prohibited or restricted by the Tribunal under section 35 of the *Administrative Appeals Tribunal Act 1975*;
- Tribunal decisions and reasons for decisions that are not subject to a confidentiality order under section 35 of the *Administrative Appeals Tribunal Act 1975*;
- administrative arrangements between the President of the Tribunal and the Commonwealth Ombudsman to facilitate mutual referral of matters where each body may have jurisdiction;
- *Getting Decisions Right* video/DVD and audio cassette with general information on the Tribunal;
- reference materials, including the Registry Procedures Manual, user manuals for the Tribunal's electronic case management systems and Tribunal jurisdiction list;

- annual reports on the Tribunal's operations;
- Personnel Directions to staff; and
- Chief Executive Instructions.

The following documents are available for purchase by the public in accordance with arrangements set by the Tribunal:

- copies of Tribunal decisions and reasons for decisions; and
- Registry Procedures Manual.

A range of documents can be accessed free of charge on the Tribunal's website (www.aat.gov.au). In addition, many Tribunal decisions can be accessed free of charge through the AustLII website (www.austlii.edu.au).

Facilities for access

Documents available free of charge upon request are available from the Tribunal at each registry or from the Tribunal's website (www.aat.gov.au). Facilities for examining documents and obtaining copies are available at each registry. A public register search of applications made to the Tribunal is available through each registry.

Freedom of information procedures and initial contact points

Enquiries concerning access to documents relating to individual applications should be directed to the District Registrar in each Tribunal registry. Northern Territory residents should direct any enquiries to the Queensland Registry. Enquiries concerning access to other documents held by the Tribunal or general enquiries concerning freedom of information requests should be directed to the Assistant Registrar in Principal Registry.

Contact officers, addresses and telephone numbers are set out at the end of this Annual Report.