

Appendix 7: Freedom of information

FREEDOM OF INFORMATION STATEMENT

This statement is made in accordance with section 8 of the *Freedom of Information Act 1982* (FOI Act) and is correct as at 30 June 2006.

Subsections 8(1) and 8(3) of the FOI Act require Commonwealth 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;
- 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 report relating to the organisation, functions and powers of the Tribunal.

ARRANGEMENTS FOR PARTICIPATION IN AGENCY DECISION-MAKING

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.

The Tribunal's registries hold regular liaison meetings with Tribunal users, including 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 its users in relation to its operations generally but also in relation to specific proposals for change.

The Tribunal undertakes a consultative process in relation to any proposal for changes to its case management processes or to practice and procedure. Details of the proposed changes are made available on the Tribunal's website and sent to regular users and other key stakeholders for comment.

CATEGORIES OF DOCUMENTS

The Tribunal maintains the following categories of documents:

- paper files relating to applications under the *Administrative Appeals Tribunal Act 1975*, including all papers lodged or produced;
- paper files relating to requests for examinations under the *Proceeds of Crime Act 2002*;
- a computerised register of applications and requests for examinations;
- Tribunal decisions and reasons for decisions;
- lists of case events, including alternative dispute resolution processes, interlocutory 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 Getting Decisions Right video/DVD and an audio cassette containing general information on the Tribunal for the visually impaired;
- the Tribunal's Service Charter;
- Registry Procedures Manual, AATCAMS user manual, Tribunal jurisdiction list and other reference materials;
- 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 statistical information on the Tribunal's operations;
- 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
- 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 case management system;
- 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;
- Registry Procedures Manual, AATCAMS user manual, Tribunal jurisdiction list and other reference materials;
- 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

Facilities for examining documents and obtaining copies are available at each District Registry. Documents available free-of-charge upon request are available from the Tribunal 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 contained at the end of this annual report.