

APPENDIX 8: FREEDOM OF INFORMATION

From 1 May 2011 agencies subject to the Freedom of Information Act are required to publish information to the public as part of the Information Publication Scheme. The requirement is in Part II of the Freedom of Information Act and has replaced the former requirement to publish a section 8 statement in the annual report. An agency plan showing what information is published in accordance with the Information Publication Scheme is on the Tribunal website.

Statement under section 8 of the Freedom of Information Act

This statement is made for the purposes of section 8 of the *Freedom of Information Act 1982* and is correct as at 30 April 2011.

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 outside participation

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, agencies and other organisations whose decisions are reviewed by the Tribunal,

legal practitioners and other persons who appear regularly before the Tribunal, including representatives of community legal centres, legal aid bodies and 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 how comments or complaints about its operations may be made.

Categories of documents maintained by the Tribunal

The Tribunal maintains the following categories of documents:

- documents relating to applications made under the Administrative Appeals Tribunal Act, including Tribunal decisions and reasons for decisions
- documents relating to requests for examinations under the *Proceeds of Crime Act 2002*
- an electronic case management system containing information in relation to applications made under the Administrative Appeals Tribunal Act and requests for examinations under the *Proceeds of Crime Act*
- Tribunal practice and procedure documents, including practice directions and forms
- documents and other materials containing information on the Tribunal's processes, including jurisdictional guides, brochures, the *Getting Decisions Right DVD* and the Tribunal's Service Charter
- reference materials, including the *Registry Procedures Manual* and the Tribunal jurisdiction list
- documents relating to the administration of the Tribunal, including annual reports on the Tribunal's operations, records relating to human and financial resource management, statistical information and other internal documents and correspondence, and
- documents relating to internal policy initiatives, case management strategies and projects.

Facilities for access to documents

A range of documents is available to the public free of charge on request. They include:

- Tribunal practice and procedure documents, including practice directions and forms
- documents containing information on the Tribunal's processes, including jurisdictional guides, brochures and the Tribunal's Service Charter
- the Tribunal jurisdiction list, and
- annual reports on the Tribunal's operations.

These documents can be obtained from any of the Tribunal's registries or the Tribunal's website, www.aat.gov.au.

The following documents can be inspected by the public at the Tribunal free of charge on request:

- once a hearing has been held in relation to an application, 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 is prohibited or restricted, including by the Tribunal under section 35 of the Administrative Appeals Tribunal Act
- Tribunal decisions and reasons for decisions that are not subject to a confidentiality order under section 35 of the Administrative Appeals Tribunal Act
- *Getting Decisions Right* DVD, and
- the *Registry Procedures Manual*.

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
- copies of other documents made available for inspection.

Facilities for examining documents and obtaining copies are available at each of the Tribunal's registries.

Many Tribunal decisions can be accessed free of charge through the AustLII website, www.austlii.edu.au.

Freedom of information procedures and initial contact points

Enquiries concerning access to documents relating to individual applications, including requests under the Freedom of Information Act, should be directed to the District Registrar in the relevant Tribunal registry. Northern Territory residents should direct any enquiries to the Brisbane 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 at the Tribunal's Principal Registry in Sydney.

Contact officers, addresses and telephone numbers are inside the front cover of this report.

