

SUPPLEMENTARY REPORT - GOVERNMENT INFORMATION PUBLIC ACCESS ACT (GIPA) – ANNUAL REPORT 19-20

REPORTING SECTION: Corporate Services
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FILE NUMBER: 10/625

Summary:

This report is provided to Council for adoption of its annual GIPA return.

Background:

On the 1st July 2010 the Government Information (Public Access) Act 2009 (GIPA Act) came into effect.

Current Position:

The report submitted to the October Council meeting contained an error and I am now re-submitting the annual report for Council's consideration.

Council is required to prepare an annual report in accordance with the requirements of section 125 of the GIPA Act and clause 7 of the GIPA Regulation. The annual report is also required to include statistical information on formal access applications in the form required by Schedule 2 of the GIPA Regulation.

Upon adoption of the attached annual report Council shall forward a Web link to the Information Commissioner.

Governance issues:

Council must comply with the reporting requirements under the GIPA Act and GIPA regulation.

Stakeholders:

Walgett Shire Council
Information and Privacy Commission New South Wales

Conclusion:

Council adopt the attached Annual Report.

Government Information Public Access Act – Annual Report

Recommendation:

- That the Chief financial Officer's report be received
- Council adopt the attached GIPA Annual Report for 2019/2020.
- The Information Commissioner be sent a link to Council's 2019/2020 Annual Report.

Moved:

Seconded:

Attachments:

Annual Report 19-20

Clause 8A: Details of the review carried out by the agency under section 7 (3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review

Reviews carried out by the agency	Information made publicly available by the agency
Yes	No

Clause 8B: The total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications)

Total number of applications received
2

Clause 8C: The total number of access applications received by the agency during the reporting year that the agency refused either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 to the Act (information for which there is conclusive presumption of overriding public interest against disclosure)

Number of Applications Refused	Wholly	Partly	Total
	0	0	0
% of Total	0%	0%	

Schedule 2 Statistical information about access applications to be included in annual report

Table A: Number of applications by type of applicant and outcome*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Media	0	0	0	0	0	0	0	0	0	0%
Members of Parliament	0	0	0	0	0	0	0	0	0	0%
Private sector business	0	0	0	0	0	0	0	0	0	0%
Not for profit organisations or community groups	1	0	0	0	0	0	0	0	1	50%
Members of the public (by legal representative)	1	0	0	0	0	0	0	0	1	50%
Members of the public (other)	0	0	0	0	0	0	0	0	0	0%
Total	2	0	0	0	0	0	0	0	2	
% of Total	100%	0%	0%	0%	0%	0%	0%	0%		

* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

Table B: Number of applications by type of application and outcome*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn	Total	% of Total
Personal information applications*	1	0	0	0	0	0	0	0	1	50%
Access applications (other than personal information applications)	1	0	0	0	0	0	0	0	1	50%
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0	0	0%
Total	2	0	0	0	0	0	0	0	2	
% of Total	100%	0%	0%	0%	0%	0%	0%	0%		

* A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

Table C: Invalid applications

Reason for invalidity	No of applications	% of Total
Application does not comply with formal requirements (section 41 of the Act)	0	0%
Application is for excluded information of the agency (section 43 of the Act)	0	0%
Application contravenes restraint order (section 110 of the Act)	0	0%
Total number of invalid applications received	0	0%
Invalid applications that subsequently became valid applications	0	0%

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act

	Number of times consideration used*	% of Total
Overriding secrecy laws	0	0%
Cabinet information	0	0%
Executive Council information	0	0%
Contempt	0	0%
Legal professional privilege	0	0%
Excluded information	0	0%
Documents affecting law enforcement and public safety	0	0%
Transport safety	0	0%
Adoption	0	0%
Care and protection of children	0	0%
Ministerial code of conduct	0	0%
Aboriginal and environmental heritage	0	0%
Privilege generally - Sch 1(5A)	0	0%
Information provided to High Risk Offenders Assessment Committee	0	0%
Total	0	

*More than one public interest consideration may apply in relation to a particular access application and if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E

Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act

	Number of times consideration used*	% of Total
Responsible and effective government	0	0%
Law enforcement and security	0	0%
Individual rights, judicial processes and natural justice	0	0%
Business interests of agencies and other persons	0	0%
Environment, culture, economy and general matters	0	0%
Secrecy provisions	0	0%
Exempt documents under interstate Freedom of Information legislation	0	0%
Total	0	

Table F: Timeliness

	Number of applications*	% of Total
Decided within the statutory timeframe (20 days plus any extensions)	2	100%
Decided after 35 days (by agreement with applicant)	0	0%
Not decided within time (deemed refusal)	0	0%
Total	2	