

1993—No. 26

**FREEDOM OF INFORMATION ACT 1989—REGULATION**

(Relating to reports to Parliament)

NEW SOUTH WALES



*[Published in Gazette No. 7 of 22 January 1993]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Freedom of Information Act 1989, has been pleased to make the Regulation set forth hereunder.

JOHN FAHEY, M.P.,  
Premier

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The Freedom of Information (General) Regulation 1989 is amended by omitting clause 9 and by inserting instead the following clause:

**Reports to Parliament**

9. (1) An annual report prepared by an agency:
- (a) must include the required information for the year concerned; and
  - (b) must also include an assessment of that information.
- (2) The required information must be set out in the form required by the relevant section of Appendix B to the FOI Procedure Manual.
- (3) An assessment of the required information for a particular year must include:
- (a) a comparison of that information with the required information for the previous year; and
  - (b) an assessment of the impact during that year on the agency's activities of the FOI requirements; and
  - (c) particulars of any major issues that have arisen during that year in connection with the agency's compliance with the FOI requirements; and

(d) particulars of the circumstances in which there have been any inquiries under the Act by the Ombudsman or any appeals under the Act to the District Court or the Supreme Court; and

(e) particulars of the outcomes of any such inquiries and appeals.

(4) In this clause:

**“FOI Procedure Manual”** means the document entitled “Freedom of Information Procedure Manual (2nd edition)”, issued by the Premier’s Department, as published on 30 June 1991;

**“FOI requirements”**, in relation to an agency, means the requirements imposed on the agency by the Act;

**“required information”** means the information required by sections A–L of Appendix B to the FOI Procedure Manual.

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#### EXPLANATORY NOTE

The object of this Regulation is to amend the Freedom of Information (General) Regulation 1989 as a consequence of the amendment of the Freedom of Information Act 1989 by the Statute Law (Miscellaneous Provisions) (No. 2) Act 1991. The amendment prescribes the information to be included in an annual report under section 68 of the Act and further prescribes the form in which that information is to be set out.

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