

**Table A – Legislative provisions and summary of proactive release information**

This table outlines the proactive release requirements under the right to Information legislation (RTI) for each jurisdiction.

It should be noted that other legislation, regulations or instruments may operate within each jurisdiction to require or permit publication of government held information and these requirements are not reflected in the table below.

	CTH	ACT	NSW	NT	QLD	SA	TAS	VIC	WA
<b>Legislation</b>	<i>Freedom of Information Act 1982</i>	<i>Freedom of Information Act 2016</i>	<i>Government Information (Public Access) Act 2009</i>	<i>Information Act 2002</i>	<i>Right to Information Act 2009</i>	<i>Freedom of Information Act 1991</i>	<i>Right to Information Act 2009</i>	<i>Freedom of Information Act 1982</i>	<i>Freedom of Information Act 1992</i>
<b>Provisions mandating or authorising proactive release</b>	Sections 3A, 7A, 8, 11C	Section 24	Sections 6,7,18	Section 11	Sections 19-22	Sections 9, 10	Section 49	Sections 7, 8, 10, 11, <sup>1</sup> 16	Sections 3, 94, 95, 96, 97
<b>Information that must be published or made available under RTK legislation</b>									
Information statement/agency information guide/etc	X	X	X	X	X	X	X	X	X
Structure of the agency	X	X	X	X	X	X	X	X	X
Functions of the agency, including decision-making powers and other powers affecting the public	X	X	X	X	X	X	X	X	X
A description of the kinds of information usually held by the agency and whether it is available free of charges, for purchase or inspection	X	X	X	X	X	X	X	X	X
Details of certain appointments	X								
Consultation mechanisms	X		X					X	X

<sup>1</sup> Section 11(2) of the *Freedom of Information Act 1982* (Vic) requires an agency to publish a statement outlining certain documents in the agency's possession. Further, sections 7, 8 and 11 do not require an agency to publish exempt information (see, sections 7(3), 8(3) and 11(3) of the *Freedom of Information Act 1982* (Vic)).







**Table B - Categories of information for proactive release**

Category	Examples <sup>i</sup>
<b>Valuable to citizens/individuals</b>	<ul style="list-style-type: none"> <li>• Information about their community – development applications, infrastructure projects, environmental information, etc</li> <li>• Information to assist individuals to access government services</li> <li>• Information about laws, regulations, etc</li> <li>• Information about the existence and management of public assets – roads, public transport infrastructure, schools, hospitals, etc</li> <li>• Personal information of the individual</li> <li>• Information to assist in emergency situations – hazard information, disaster, or crisis response information, etc</li> <li>• Registers held by government</li> <li>• Consumer information – food safety, product safety, trade licencing information, consumer complaints, etc</li> </ul>
<b>Likely to affect the rights of, and services provided to, the public and to which the public may be subject to by government</b>	<ul style="list-style-type: none"> <li>• Information about policies and procedures for government decision-making</li> <li>• Information about complaints procedures, review rights and challenging government decision-making</li> <li>• Information about judicial processes and decisions</li> <li>• Eligibility information for government services, grants, rebates, subsidies, etc</li> <li>• Information about use of artificial intelligence, machine learning and other enhanced decision-making technology in government decision-making</li> <li>• Details about the information held by agencies including information not publicly available</li> <li>• Information on consultation mechanisms to enable public participation in government decision-making</li> <li>• Results of consultation for the purposes of enabling public participation and government decision-making</li> </ul>
<b>Important to the digital economy</b>	<ul style="list-style-type: none"> <li>• Datasets for research – including aggregated and de-identified datasets</li> <li>• Datasets for innovation and commercial development</li> <li>• Geospatial and geographic information</li> <li>• Population information</li> <li>• Statistical and social data</li> <li>• Meteorological information</li> <li>• Patent and trademark information</li> <li>• Transport information</li> </ul>

**Important to government  
accountability and  
transparency**

- Information about agency performance – annual reports, audit reports, strategic plans, performance indicators, audits, inspections and reviews, etc
- Information to ensure effective oversight of public funds - government income and expenditure statements, major plans for capital expenditure including any private finance initiative and public-private partnership contracts, etc
- Information on delivery of government commitments
- Conflict of interest information for decision makers e.g. members of Parliament and Councillors
- Gifts and benefits policies, travel policies, gift registers, etc
- Ministerial diaries, lobbyist registers
- Contract registers and tendering/procurement information
- Reports of integrity agencies
- Agendas and minutes of meetings, including meetings of committees and sub-committees
- Information about appointments and staff remuneration
- Information about consultation processes - access to consultation papers or information about where the papers can be obtained and the results and outcomes of consultation processes
- Information about policies and procedures for conducting agency functions, delivering of services, recruitment of staff, etc

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<sup>i</sup> Note that examples listed may belong to more than one of the categories listed, however for brevity are only listed once.