

## **Section 8 Plan**

Section 8 of the *Freedom of Information Act 1982* (the Act) provides as follows:

'8 (1) An agency must prepare a plan showing the following:

- (a) what information the agency proposes to publish for the purposes of the Part;
- (b) how, and to whom, the agency proposes to publish information for the purposes of this Part;
- (c) how the agency otherwise proposes to comply with this Part.'

### **Information to be Published**

The Attorney-General's Department (the Department) proposes to publish, for the purposes of this Part, the following information:

- (a) this Plan;
- (b) details of the structure of the Department's organisation;
- (c) details of the functions of the Department, including its decision making powers and other powers affecting members of the public;
- (d) details of appointments of officers of the Department that are made under Acts (other than APS employees);
- (e) information in the Department's Annual Report;
- (f) details of arrangements for members of the public to comment on specific policy proposals for which the Department is responsible, including how and to whom those comments may be made;
- (g) information in documents to which the Department routinely gives access in response to requests under Part III of the Act except:

- personal information about any individual the publishing of which would be unreasonable;
  - information about the business, commercial, financial or professional affairs of any person the publishing of which would be unreasonable;
  - other information of a kind determined by the Information Commissioner the publishing of which would be unreasonable;
- (h) information held by the Department that is routinely provided to the Parliament in response to requests and orders from the Parliament;
- (i) the contact details of an officer who can be contacted about access to information and documents held by the Department; and
- (j) the Department's 'operational information' – that is, information held by the Department for the purpose of performing or exercising its functions or powers in making decisions or recommendations affecting members of the public or a particular person or entity, or classes of persons or entities (for example, Departmental rules, guidelines, practices and precedents relating to those decisions and recommendations).

### How, and to Whom, the Information Will be Published

#### How

The above information will be published on the Department's website. In accordance with the requirements of subsection 8D (3) of the Act, the information will be published by:

- making it available for downloading from the website (where practicable to do so);
- publishing on the website a link to another website from which the information can be downloaded; or

- publishing on the website other details of how the information may be obtained – for instance, the name and contact details of relevant Departmental officers from whom the information or document can be obtained.

### To Whom

The above information will be published to members of the public generally and, where the Department considers it appropriate to do so, to particular classes of persons or entities.

### How the Department Proposes to Otherwise Comply with the Requirements of Part II of the Act

The Department intends to comply with the other requirements of Part II as follows:

- (a) An FOI contact officer will be appointed for each Division of the Department. Those officers will be responsible for publishing (after the agreement of their respective Division Heads and the FOI and Privacy Section has been obtained), the above information and documents held by their Divisions and then ensuring that the information and documents remain accurate and up to date. They will also be responsible for ensuring that all the other requirements of Part II of the Act are complied with.
- (b) Officers in the FOI and Privacy Section will provide final clearance of material to be published. They will also be available to provide advice to the Divisional contact officers on the requirements of Part II, including:
  - advice as to what information and documents should and should not be published; and
  - the circumstances in which charges may be levied and how they should be calculated and published.

- (c) The contact officers will ensure that all relevant guidelines issued by the Information Commissioner under section 93A of the Act are complied with.
- (d) In performing a function or exercising a power under Part II of the Act, the Department will also have regard to the objects of the Act as set out in sections 3 and 3A.
- (e) The Department will cooperate with the regular reviews of the Department's handling of the publication scheme which will be carried out by the Information Commissioner.
- (f) The Department will ensure that, if some of its 'operational information' in relation to a function or power of the Department has not been published on its website and a person engages in conduct relevant to the performance of the function or exercise of the power and, at the time of engaging in that conduct the person was not aware of the unpublished information, the person will not be subjected to any prejudice by reason only of the application of any rule, guideline or practice in the unpublished information if the person could have avoided that prejudice had he or she been aware of the unpublished information.