

Impact Analysis Statement

Summary IAS

Details

Lead department	Department of Justice and Attorney-General
Name of the proposal	Proclamation to commence sections 78, 87, 89 136 and the part 5 heading (Amendment of Right to Information Act 2009) of the <i>Information Privacy and Other Legislation Amendment Act 2023</i> from 1 March 2024, to support implementation of the proactive release scheme
Submission type	Summary IAS
Title of related legislative or regulatory instrument	<i>Information Privacy and Other legislation Amendment Act 2023</i> <i>Right to Information Act 2009</i>
Date of issue	February 2024

Proposal type	Details
Minor and machinery in nature	This proposal is minor and machinery in nature as the proclamation serves to commence certain amendments made to the <i>Right to Information Act 2009</i> by the <i>Information Privacy and Other Legislation Amendment Act 2023</i> necessary to support implementation of the proactive release scheme.
Regulatory proposals where no RIA is required	<p>The proposal will proclaim the commencement of new sections 18A, 22A and Schedule 3, section 2(3A) of the Right to Information Act 2009 (RTI Act) from 1 March 2024. These sections support operation of the proactive release scheme.</p> <p>The sections:</p> <ul style="list-style-type: none"> - ensure that the public interest immunity in proceedings and processes is not altered by the publication of information by Cabinet, or decisions by Cabinet to officially publish Cabinet information - provide protection from civil liability for Ministers disclosing information under a publication scheme or other administrative scheme in good faith - provide clarity for applicants and decision makers under the RTI Act concerning the exempt status of information in Cabinet submissions and Cabinet decisions, and other Cabinet related documents, in view of the official publishing of information by decision of Cabinet under the proactive release scheme.

	The proposal does not increase costs or regulatory burden on business or the community and are unlikely to have adverse impacts. These amendments are not subject to regulatory impact analysis under the Better Regulation Policy.
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Signed



Director-General

Date: 15.02.2024



Attorney-General and Minister for Justice and
Minister for the Prevention of Domestic and Family
Violence

Date: 19-02-2024