



Office of the **Information Commissioner**

ANNUAL REPORT 2009-2010



Office of the **Information Commissioner**

DEAR MR PRESIDENT
DEAR MR SPEAKER

ANNUAL REPORT 2009-2010

In accordance with the provisions of the *Financial Management Act 2006* and the *Freedom of Information Act 1992*, I submit my report for the year ended 30 June 2010 which has been prepared in compliance with the provisions and reporting requirements of both Acts.

A handwritten signature in blue ink, appearing to read 'Sven Bluemmel'.

Sven Bluemmel
INFORMATION COMMISSIONER

22 September 2010

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OVERVIEW

1. OVERVIEW



1.1 COMMISSIONER'S FOREWORD

I am pleased to present my second annual report as Western Australia's Information Commissioner.

I have taken many opportunities during the year to meet with agencies in order to better understand their business and gauge the need for further training and support in administering the *Freedom of Information Act 1992* (the Act). This has included agencies in the Perth metropolitan area as well as agencies in the Peel region, the Kimberley and the South West of the State. I have also used those opportunities to inform members of the wider community about their rights to access government documents under the Act.

"There is a significant unmet need for further training to government agencies to ensure that they correctly administer the Act."

My discussions with agencies have highlighted the need for my office to continue providing training and other advisory services to government and the public. There is a significant unmet need for further training to government agencies to ensure that they correctly administer the Act. My office will build on its existing work in this regard, particularly through the use of technology in providing training and advisory services to regional Western Australia.

Two possible legislative amendments with significant merit continue to be brought to my attention. The first of these would remove the requirement for agencies to consult with officers or contractors where the agency only proposes to disclose non-exempt information about those persons, including their name and job description. The second would give agencies a discretion to refuse to deal with repeat applications for the same document from the same access applicant. I note that both of these

issues have been raised by my predecessors in past Annual Reports and were part of the proposed amendments in the *Freedom of Information Amendment Bill 2007*.

The year has also seen a number of other Australian jurisdictions undertake significant reforms of their freedom of information legislation. These reforms have generally adopted a similar external review model to Western Australia, namely an independent commissioner who can make legally binding decisions about FOI disputes. This new common approach to FOI administration is providing greater opportunities for cooperation between information commissioners in Australian jurisdictions, which will enhance the administration of the Act in Western Australia.

My dealings with complaints through the year have highlighted several areas where agency practice can be improved. The first of these relates to how agencies search for documents

when responding to a request for access to documents. Some complaints before me during the year alleged that an agency had failed to conduct proper searches for documents, in particular electronic documents such as emails. In a number of cases, I required further searches to be conducted which often revealed the existence of further documents. Common problems when searching for electronic documents included using search terms that are too narrow and not searching in all potential electronic folders or archives. While I did not find evidence of any calculated effort to conceal documents, this is unacceptable and has the potential to undermine trust in government. To address the issue, it is important that agencies carry out proper searches in the first place and document these precisely.

Agencies should also seek to make more government information available outside the formal FOI process, both proactively and on request. This has the potential to provide information to the public much faster and with less effort.

During the year my office carried out an independent review into the administration of freedom of information in Western Australia. A report was tabled in Parliament on 8 September 2010 and provides important insights into how effectively the Act is being administered. The review also identifies areas where agencies require more support and training.

As predicted in last year's report, the current year has seen a significant deterioration in my office's ability to resolve complaints under the Act in a timely manner. This is due to the large backlog of complaints resulting from the sharp and sustained increase in the number of complaints made by Members of Parliament about decisions of Ministers since December 2008. While the

influx of complaints has now returned closer to historical averages, the size and complexity of the backlog means that it will take some years for the situation to be rectified. Currently, complaints received in my office are unlikely to be resolved in less than six months. This contrasts with the one month timeframe envisaged in the Act. On current projections, it is unlikely that this will have improved by next year, despite the various steps taken by my office to improve efficiency and output.

The challenges identified above provide two clear focus areas for my office. The first is to continue efforts to reduce the backlog of complaints. In this regard, my office has made significant changes to how the complaints process is managed, with a view to improving efficiency and encouraging early conciliated resolution of disputes. The second is to provide further training and support for agencies.

I look forward to working with my team and with agencies across the State to continue improving the administration of freedom of information in Western Australia.

Sven Bluemmel
Information Commissioner

“Agencies should seek to make more government information available outside the formal FOI process.”

1.2 OPERATIONAL STRUCTURE

The office of Information Commissioner is established by s.55(1) of the *Freedom of Information Act 1992* (the Act) and the occupant is directly accountable to Parliament for the performance of the functions prescribed by the Act. The Information Commissioner is independent of executive government and reports directly to the Parliament and not to, or through, a Government Minister. The Attorney General is the Minister responsible for the administration of the Act, but has no specific role under the legislation.

The Commissioner is supported by staff in the Office of the Information Commissioner (OIC). The main function of the OIC is to provide independent external review of agencies' decisions by dealing with complaints about decisions made by agencies under the Act.

Other responsibilities prescribed by the Act include:

- ❖ ensuring that agencies are aware of their responsibilities under the Act [s.63(2)(d)];
- ❖ ensuring members of the public are aware of the Act and their rights under it [s.63(2)(e)];

- ❖ providing assistance to members of the public and agencies on matters relevant to the Act [s.63(2)(f)]; and
- ❖ recommending to Parliament legislative or administrative changes that could be made to help the objects of the Act be achieved [s.111(4)].

The following principles or values are part of the corporate philosophy of the OIC:

- ❖ Being accepted by participants as an independent and impartial review authority.
- ❖ Being recognised by agencies as a model of "best practice" for the FOI complaint review process.
- ❖ Serving as an example to agencies of accountability and responsibility.

RELEVANT LEGISLATION

- ❖ *Freedom of Information Act 1992*
- ❖ *Freedom of Information Regulations 1993*

CONTACT DETAILS

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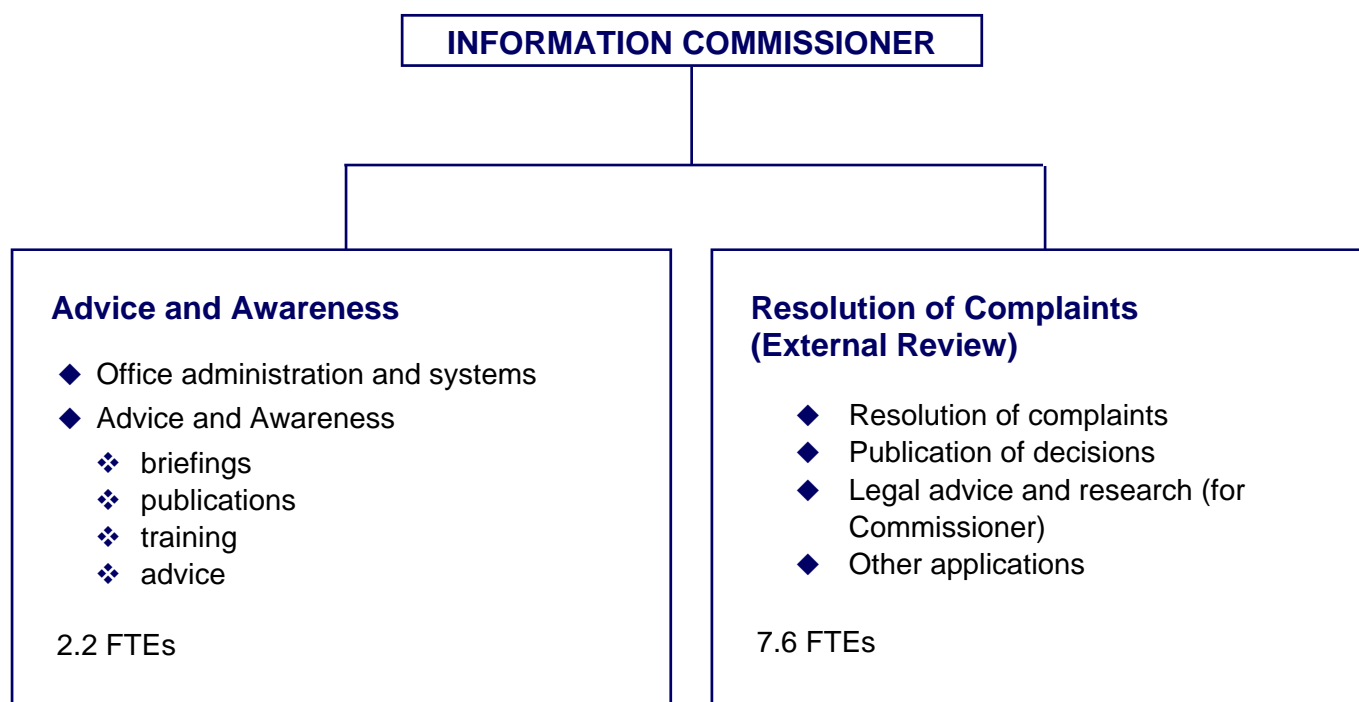
STAFF



Back row L to R: Vivien Hillyard, Investigations Officer; Tony Pruyn, Senior Investigations Officer; Grant Washer, Manager FOI Review; Kim Bracknell, Information Services Manager; Anne Marshall, A/Principal Legal Officer; Sven Bluemmel, Information Commissioner.

Front row L to R: Sylvie de Laroche, Administrative Assistant; Lavina Mandy, A/Legal Officer; Grace Grandia, Senior Advisory Officer; Michelle Fitzgerald, Executive Officer; Rachel Crute, A/Senior Legal Officer.

OFFICE STRUCTURE



1.3 PERFORMANCE MANAGEMENT FRAMEWORK

1.3.1 Outcome Based Management Framework

Desired Outcome

The primary desired outcome is access to documents and observance of processes in accordance with the Act.

This outcome contributes to the Government goals of financial and economic responsibility, outcomes based service delivery and social and environmental responsibility.

The OIC provides an FOI complaint mechanism and advisory service which is independent, objective and fair, and which balances the competing needs of applicants, agencies and Parliament, subject to the requirements and processes prescribed in the Act. The Commissioner has a statutory duty to undertake these functions and the OIC accordingly has two service teams – *Resolution of Complaints (External Review)* and *Advice and Awareness*.

AGENCY PERFORMANCE REPORT ON OPERATIONS

2. AGENCY PERFORMANCE — REPORT ON OPERATIONS

2.1 DECISIONS OF INTEREST 2009/2010

The following section outlines decisions of interest by the Commissioner during the reporting period.

Refusal to deal with a large application

In *Re Ravlich and Attorney General; Minister for Corrective Services* [2009] WAICmr 17, the Commissioner dealt with a complaint from the Hon. Ljiljana Ravlich MLC relating to a decision of the Attorney General; Minister for Corrective Services (the Minister) to refuse to deal with an access application under s.20 of the FOI Act. The application sought access to the Minister's diary, daily itinerary documents and documents detailing the expenditure on the Minister's Ministerial credit card over a 5-6 month period.

Section 20 provides that if - after taking reasonable steps to help the access applicant to change the application to reduce the amount of work required to deal with it - an agency considers that the work involved in dealing with an access application would divert a substantial and unreasonable portion of the agency's resources away from its other operations, the agency can refuse to deal with the application.

After considering the steps taken by the Minister to help the complainant to change the application to reduce the amount of work needed to deal with it; the work involved in dealing with the access application; the usual work of the Minister's office; and the resources devoted to the task of dealing with the application in accordance with the statutory requirements of the FOI Act, the Commissioner decided that the Minister's decision to refuse to deal with the complainant's access application under s.20 was justified in the circumstances.

The Commissioner noted that while s.20 places agencies under a duty to assist applicants, an element of reasonableness must be implied in the

overall process if the legislation is to work satisfactorily. The Commissioner considered that relevant factors in dealing with a s.20 matter include whether an applicant has taken a co-operative approach in redrawing the boundaries of an application.

In determining whether the Minister had taken reasonable steps to assist the complainant to change the application to a manageable level, the Commissioner had regard to the complainant's experience and knowledge of the Act and her experience as a former Minister of the State. The Commissioner also noted that if a similar application were made to the Minister by a member of the public unfamiliar with the work involved in dealing with it, the Commissioner's view as to the degree of assistance required from the Minister in order to satisfy his obligation under s.20 might be different.

Transfer of applications and searches for electronic documents

In *Re MacTiernan and Minister for Regional Development* [2009] WAICmr 29, the complainant applied to the Minister for Regional Development for access to all documents relating to the formula for grant allocations for the Country Local Government Fund. The Minister's office transferred the application to the Department of Local Government and Regional Development under s.15 of the FOI Act on the basis that the Minister held no documents of that description. However, the complainant obtained information to contradict that view and applied to the Commissioner for external review of the Minister's decision.

In the course of dealing with that matter, it became clear that the Minister's officer and not the Minister himself had made the decision to transfer the application. In his decision the Commissioner noted that, in cases where the relevant agency – as here – is a Minister, s.100 of the FOI Act requires the Minister, and not

members of the Minister's staff, to make decisions under the Act, including a decision to transfer an application to another agency.

Re MacTiernan also highlighted the need for staff to make effective searches for electronic documents, including using an appropriate range of key words; being trained and conversant with the tools to search electronic systems; and having proper processes in place to capture documents in the electronic recordkeeping system, in order to ensure the proper functioning of the FOI Act.

Valuation reports

Under clause 6 of Schedule 1 to the FOI Act, information is exempt from disclosure if it would reveal an agency's deliberative processes, provided it is established that disclosure of the information would, on balance, be contrary to the public interest.

In *Re McKay and McKay and Water Corporation* [2009] WAICmr 35, the Commissioner reviewed a decision made by the Water Corporation (the agency) to refuse the complainants access to valuation information contained in two valuation reports that the agency had obtained in respect of land owned by the complainants under clause 6(1). The agency was seeking to purchase a portion of the complainants' land by negotiated agreement to enable the construction of a pipeline. Under the *Land Administration Act 1997*, the agency has the power to acquire land for public works by compulsory acquisition, where negotiation efforts fail.

The Commissioner accepted that the valuation information was obtained as part of the agency's deliberations to determine the value of the land and the range of prices the agency was willing to pay for it. In dealing with clause 6(1), the Commissioner was also required to decide whether disclosure of that information would, on balance, be contrary to the public interest.

The Commissioner recognised a public interest in the agency carrying out negotiations to acquire

land by agreed purchase without the risk of those negotiations being undermined by the disclosure of sensitive information. However, in the circumstances of the case, the Commissioner was not persuaded that the disclosure of the valuation information was reasonably likely to damage negotiations between the parties either at present or in future, as those negotiations had effectively broken down and because the valuation information was out of date.

The Commissioner observed that where government agencies seek to acquire land from private citizens, transparency in the acquisition process serves to achieve the objects of the FOI Act. Those objects include making the persons and bodies that are responsible for State and local government more accountable to the public (s.3(1)(b)). The Commissioner recognised a strong public interest in agencies, which possess extraordinary powers and resources in respect of the acquisition of property that are not available to private citizens, being seen to act fairly and transparently.

After weighing up the competing public interests for and against disclosure, the Commissioner was not persuaded that disclosure of the valuation information would be contrary to the public interest. The Commissioner decided that the valuation information was not exempt under clause 6(1) and set aside the agency's decision to refuse access to it.

This decision was the subject of an appeal by the agency under s.85 of the FOI Act to the Supreme Court¹. The appeal was heard on 17 June 2010. As at the end of the reporting period, the Court had not delivered its judgment².

¹ Section 85(1) provides that an appeal lies to the Supreme Court on any question of law arising out of any decision of the Commissioner on a complaint relating to an access application.

² The Court delivered its judgment on 17 August 2010, confirming the Commissioner's decision. The judgment can be found at <http://www.foi.wa.gov.au>

Disclosure of personal information

Under clause 3 of Schedule 1 to the FOI Act, personal information about an individual is exempt from disclosure, subject to a number of limitations, including a consideration of whether disclosure would, on balance, be in the public interest.

Re U and Department of Health [2010] WAICmr 3 is one of the rare decisions in which the Commissioner has held that, on balance, it was in the public interest to disclose personal information about one individual to another. In this case, the complainant sought medical information relating to his deceased wife who had been under the clinical care of certain health service agencies at the time of her death. The relevant document was the Chief Psychiatrist's review into the clinical care of the deceased up to the time of her death. The agency had disclosed an edited copy of that review to the complainant which revealed, in effect, only the recommendations arising from the conduct of the review.

In considering the public interest, the Commissioner took into account the following facts:

- ❖ the complainant was the deceased's closest relative, next of kin and carer of the children of the marriage;
- ❖ other close members of the deceased's family supported the access application;
- ❖ a good deal of information about the deceased's medical condition and treatment had already been disclosed to the complainant; and
- ❖ the deceased had in the past indicated a level of consent to the disclosure of information about her health and treatment to her husband (the complainant).

Although the Commissioner recognised that there was a strong public interest in protecting the privacy of an individual (including a deceased person) and a public interest in preserving the trust and confidence of the public in the confidentiality of health records, there is a public interest in informed public debate about the operations of public health services, especially when - as here - there are concerns about whether they have operated effectively. The Commissioner considered that, on balance, the public interests in disclosure outweighed those favouring non-disclosure in this case. Accordingly, the Commissioner decided that the relevant information was not exempt under clause 3.

Documents held by Ministers

Re Ravlich and Attorney General [2010] WAICmr 5 provides some guidance on the application of clause 4(2) of the Glossary to the FOI Act, which sets out what documents held by Ministers are potentially accessible under the FOI Act.

In effect, that provision states:

- (a) that the requested documents must be in the possession or under the control of the Minister in his or her official capacity;
- (b) in addition, those documents must relate to the affairs of another government agency (except where that agency is another Minister); and
- (c) (a) and (b) include documents that the Minister is entitled to access and documents held by Ministerial staff in their capacity as Ministerial staff, but does not include documents of an agency for which the Minister is responsible.

Consequently, the following documents will not be accessible under the FOI Act from a Minister, even if they are held by that Minister:

- ❖ documents held by Ministers or their staff in a non-official capacity;
- ❖ documents held by Ministers in their official capacity but which do not relate to the affairs of another government agency;

- ❖ documents held by Ministers in their official capacity which relate only to the affairs of another Minister; and
- ❖ documents which are documents of an agency for which the Minister is responsible.

2.2 EXTERNAL REVIEW

2.2.1 External Review Applications and Other Applications

A total of 144 applications, composed of 125 complaints (including 16 informal/invalid complaints) and 19 other kinds of applications under the Act were received in 2009/2010. Table 1 shows the kinds of applications received and Table 2 the applicant and respondent groups.

TABLE 1: APPLICATIONS RECEIVED

APPLICATIONS FOR EXTERNAL REVIEW	No.
Complaints - valid	109
Complaints - informal / invalid	16
Section 66(6) - applications - no internal review	7
Section 66(4) - applications - out of time	6
Section 13(5) - applications for extension of time	4
Section 48(3) - request for destruction certificate	1
Section 35(1) - waiver of requirement to consult	1
TOTAL	144

TABLE 2: BREAKDOWN OF VALID COMPLAINTS

Applicant Group	No.	Respondent	No.
Individual Citizen	60	Department (ex. Police & Health)	30
Member of Parliament	21	Local Government	29
Company	16	Minister	20
Prisoner	8	Board, Committee, Commission	14
NFP Group	3	Health Related	10
Media	1	Police	5
		University	1
TOTAL	109	TOTAL	109

2.2.2 Complaints

Complaints may be made in respect of an agency's decision to:

- ❖ refuse access to documents;
- ❖ give access to documents;
- ❖ give access to edited copies of documents;
- ❖ refuse to deal with access applications;
- ❖ defer giving access to documents;
- ❖ apply s.28 of the Act;
- ❖ impose a charge or require the payment of a deposit; or
- ❖ not to amend personal information or make a notation as requested.

The 16 informal/invalid complaints received included complaints about the manner in which an agency had processed or dealt with the complainant's access application or application for amendment, but was not a complaint about a decision of a kind set out in s.65(1) or s.65(3) of the Act.

Table 3 shows a summary of complaints received by agency type.

TABLE 3: COMPLAINTS RECEIVED (BY AGENCY TYPE)

AGENCY TYPE	COMPLAINTS		INFORMAL/INVALID		TOTAL	
	No.	%	No.	%	No.	%
State	60	55.04	14	11.20	74	59.20
Minister	20	18.35	1	0.80	21	16.80
Local	29	26.61	1	0.80	30	24.00
TOTAL	109	87.20	16	12.80	125	100

Table 4 details the number of complaints received in 2009/10 and the agencies concerned.

TABLE 4: COMPLAINTS RECEIVED

AGENCY	COMPLAINTS	INVALID	TOTAL	AGENCY	COMPLAINTS	INVALID	TOTAL
Agency Unknown	0	1	1	NMAHS—Sir Charles Gairdner Hospital	1	0	1
Agriculture and Food, Department of	2	0	2	Pathwest Laboratory Medicine WA	1	0	1
Attorney General, Department of the	1	1	2	Peppermint Grove, Shire of	2	0	2
Bassendean, Town of	1	0	1	Pharmaceutical Council of Western Australia, The	0	1	1
Bayswater, City of	1	0	1	Planning, Department of	4	0	4
Belmont, City of	2	0	2	Police, Western Australia	5	2	7
Bunbury, City of	1	0	1	Port Hedland, Town of	2	0	2
Canning, City of	3	0	3	Port Hedland Port Authority	2	0	2
Challenger Institute of Technology	1	0	1	Premier and Cabinet, Department of the	2	0	2
Child Protection, Department for	0	1	1	Public Advocate, Office of the	1	0	1
Claremont, Town of	1	0	1	Public Sector Standards Commissioner, Office of the	2	0	2
Cockburn, City of	1	0	1	SMAHS - Royal Perth Hospital	2	0	2
Commerce, Department of	5	0	5	SMAHS - Bentley Hospital	2	0	2
Communities, Department for	1	0	1	Sport and Recreation, Department of	1	1	2
Corrective Services, Department of	2	1	3	Stirling, City of	2	0	2
Cottesloe, Town of	1	0	1	Toodyay, Shire of	1	1	2
Edith Cowan University	1	0	1	Tourism Commission, Western Australian	1	0	1
Environment and Conservation, Department of	3	0	3	Training and Workforce Development, Department of	1	0	1
Forest Products Commission	1	0	1	Treasury and Finance, Department of	2	0	2
Fremantle, City of	2	0	2	WACHS - Pilbara	1	0	1
Geraldton-Greenough, City of	1	0	1	WACHS - South West	1	0	1
Gingin, Shire of	1	0	1	Water Corporation	1	0	1
Gosnells, City of	1	0	1	Workcover Western Australia Authority (Workcover WA)	3	2	5
Health, Department of	0	2	2	Ministers:			
Health Review, Office of	1	0	1	Attorney General	1	1	2
Joondalup, City of	2	0	2	Energy, Minister for	3	0	3
Kalamunda, Shire of	1	0	1	Environment, Minister for	1	0	1
Legal Aid Western Australia	1	0	1	Health, Minister for	2	0	2
Legal Practice Board of WA, The	1	0	1	Planning, Minister for	2	0	2
Local Government, Department of	2	0	2	Police, Minister for	1	0	1
Main Roads Western Australia	2	0	2	Regional Development and Lands, Minister for	1	0	1
Medical Board of Western Australia	1	1	2	Training, Minister for	1	0	1
Mines and Petroleum, Department of	1	0	1	Transport, Minister for	2	0	2
Murray, Shire of	2	0	2	Treasurer	5	0	5
Nedlands, City of	1	0	1	Water, Minister for	1	0	1
NMAHS - Graylands Selby-Lemnos and Special Care Health Services	0	1	1				
NMAHS - Mental Health	1	0	1	TOTAL	109	16	125

2.2.3 Other Applications

Other applications received fell into the following categories:

- ❖ applicants or third parties seeking to lodge complaints out of time pursuant to s.66(4) of the Act, or without internal review pursuant to s.66(6);
- ❖ agencies seeking waiver of the requirement to consult with third parties when processing an application pursuant to s.35(1);
- ❖ agencies seeking an extension of the permitted period of 45 days within which an

agency must deal with an application (s.13(5)); and

- ❖ agencies seeking certification to obliterate or remove information or to destroy a document pursuant to s.48(3).

Nineteen “other” applications were received in 2009/10, compared with 24 received in the previous reporting period. Table 5 gives a detailed breakdown of these applications and the agencies concerned.

TABLE 5: OTHER APPLICATIONS RECEIVED

AGENCY	OUT OF TIME s.66(4)	NO INTERNAL REVIEW s.66(6)	WAIVER OF REQUIREMENT TO CONSULT s.35(1)	EXTENSION OF TIME s.13(5)	REQUEST FOR DESTRUCTION CERTIFICATE s.48(3)	TOTAL
Bassendean, Town of				1		1
Belmont, City of	1					1
Child Protection, Department for			1			1
Commerce, Department of				1		1
Corrective Services, Department of		1				1
Forestry, Minister for	1					1
Gosnells, City of					1	1
Health, Department of		1				1
Housing, Department of				2		2
Insurance Commission of Western Australia		1				1
Legal Practice Board of Western Australia, The		1				1
Nedlands, City of		1				1
Planning, Department of		1				1
Public Sector Standards Commissioner, Office of the		1				1
Regional Development; Lands, Minister for	4					4
TOTAL	6	7	1	4	1	19

2.2.4 External Review Outcomes

A total of 143 applications, made up of 123 complaints (including 17 informal/invalid complaints) and 20 other applications were finalised during the year. Table 6 gives details of the types of applications dealt with in the 2009/10 reporting period.

TABLE 6: APPLICATIONS DEALT WITH

TYPE OF APPLICATION	No.
Complaints - valid	106
Complaints - informal / invalid	17
Section 66(4) - out of time	7
Section 66(6) - no internal review	7
Section 13(5) - application for extension of time	4
Section 35(1) - application for waiver of requirement to consult	1
Section 48(3) - request for destruction certificate	1
TOTAL	143

Table 7 shows a summary of the outcomes of complaints finalised during the year, by agency category.

TABLE 7: OUTCOME OF COMPLAINTS FINALISED (BY AGENCY CATEGORY)

AGENCY TYPE	CONCILATED		PUBLISHED DECISION		DECLINED		TOTAL	
	No.	%	No.	%	No.	%	No.	%
State	25	48.07	24	46.15	3	5.77	52	49.06
Minister	21	63.63	12	36.36	0	0.00	33	31.13
Local	13	61.90	7	33.33	1	4.76	21	19.81
Total	59	55.66	43	40.56	4	3.77	106	100.00

Note: Table 7 excludes Informal/Invalid complaints

TABLE 8: OUTCOME OF COMPLAINTS FINALISED

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) & s.67(1)(b))	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
Claremont, Town of		1				1
Cockburn, City of	1			1		2
Commerce, Department of	1		1			2
Corrective Services, Department of		3	1			4
Cottesloe, Town of		1				1
C&AHS - Princess Margaret Hospital for Children		1				1
Edith Cowan University				1		1
Education and Training, Department of	2	1				3
Environment and Conservation, Department of	3	1			1	5
Fire and Emergency Services Authority of Western Australia	1					1
Fisheries, Department of	1					1
Fremantle, City of	2					2
Geraldton-Greenough, City of		1				1
Gingin, Shire of	1					1
Gosnells, City of	1					1
Health, Department of				1		1
Health Review, Office of			1			1
Joondalup, City of	3					3
Kalamunda, Shire of		1				1
Legal Aid Western Australia	1					1
Main Roads Western Australia		1				1
Medical Radiation Technologists Registration Board of Western Australia	1					1
NMAHS - Mental Health		1				1
NMAHS - Sir Charles Gairdner Hospital	1					1
Peppermint Grove, Shire of	1	1				2
Perth, City of	1		1			2
Planning, Department of *	3				1	4
Police, Western Australia **	2	1				3
Port Hedland, Town of	1					1
Premier and Cabinet, Department of the	1	2				3

* Includes agency previously known as Department of Planning and Infrastructure

** Includes agency previously known as Police Force of Western Australia

TABLE 8: OUTCOME OF COMPLAINTS FINALISED (cont...)

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) & s.67(1)(b))	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
SMAHS - Bentley Hospital	2					2
SMAHS - Royal Perth Hospital	2		1			3
Stirling, City of	2					2
Subiaco Redevelopment Authority				1		1
Swan, City of					1	1
Tourism Commission, Western Australian	1					1
Treasury and Finance, Department of	1	1				2
WACHS - Pilbara	1					1
WACHS - South West			1			1
Water Corporation	1	2		1		4
Workcover Western Australia Authority (Workcover WA)		1			1	2
Sub-Total Agencies:	38	20	6	5	4	73
Ministers:						
Attorney General	1	1	1			3
Minister for Child Protection	1					1
Minister for Education	4	1				5
Minister for Energy	2	1				3
Minister for Environment	1					1
Minister for Health	2	1				3
Minister for Indigenous Affairs	1					1
Minister for Mines and Petroleum	1	1				2
Minister for Police			1			1
Minister for Regional Development; Lands	2	3				5
Minister for Transport	1					1
Treasurer	4	1				5
Minister for Water	1	1				2
Sub-Total Ministers:	21	10	2	0	0	33
Progressive-Total Complaints:	59	30	8	5	4	106
Informal / Invalid Complaints						
Agency Unknown					1	1
Attorney General					1	1
Attorney General, Department of the					1	1
Child Protection, Department for					1	1
Corrective Services, Department of					1	1

TABLE 8: OUTCOME OF COMPLAINTS FINALISED (cont...)

AGENCY	CONCILIATED	PUBLISHED DECISION BY INFORMATION COMMISSIONER			DECLINED UNDER s.67(1)(a) & s.67(1)(b))	TOTAL MATTERS FINALISED
		AGENCY DECISION CONFIRMED	AGENCY DECISION VARIED	AGENCY DECISION SET ASIDE AND SUBSTITUTED		
Fisheries, Department of					1	1
Health, Department of					2	2
Medical Board of Western Australia					1	1
NMAHS - Graylands Selby-Lemnos and Special Care Health Services					1	1
Pharmaceutical Council of Western Australia, The					1	1
Police, Western Australia *					2	2
Sport and Recreation, Department of					1	1
Toodyay, Shire of					1	1
Workcover Western Australia Authority (Workcover WA)					2	2
Sub-Total Informal/Invalid:					17	17
TOTAL	59	30	8	5	21	123

Note: The Information Commissioner does not deal with a complaint if it is outside his jurisdiction and may not deal with it if it is frivolous, vexatious, misconceived or lacking in substance (s.67 of the Act). Table 8 includes Informal/Invalid complaints. Four of the five complaints declined related to formal complaints and the remaining 1 related to an informal/invalid complaint.

* Includes agency previously known as Police Force of Western Australia

TABLE 9: PUBLISHED DECISIONS

DECISION NUMBER	COMPLAINANT	RESPONDENT	DECISION DATE
D0152009	"L"	Department of Corrective Services	12/08/2009
D0162009	"M"	Child and Adolescent Health Service	13/08/2009
D0172009	Ravlich	Attorney General; Minister for Corrective Services	14/08/2009
D0182009	McClue	Department of Corrective Services	17/08/2009
D0192009	Dann	Department of Corrective Services	25/08/2009
D0202009	West	Department of Treasury and Finance	27/08/2009
D0212009	"N"	Royal Perth Hospital	28/08/2009
D0222009	"P"	Department of Environment and Conservation	1/09/2009
D0232009	City of Subiaco	Subiaco Redevelopment Authority	3/09/2009
D0242009	Guest	Main Roads Western Australia	15/09/2009
D0252009	West	Department of Education and Training	21/09/2009

TABLE 9: PUBLISHED DECISIONS (cont...)

DECISION NUMBER	COMPLAINANT	RESPONDENT	DECISION DATE
D0262009	“Q”	City of Cockburn and “R”	23/09/2009
D0272009	Wilson	Shire of Kalamunda	14/10/2009
D0282009	Salmon	Town of Cottesloe	30/10/2009
D0292009	MacTiernan	Minister for Regional Development	30/10/2009
D0302009	“S”	Water Corporation	16/11/2009
D0312009	Mallet	Edith Cowan University	26/11/2009
D0322009	Mallet	City of Perth	26/11/2009
D0332009	Michel	Office of Health Review	22/12/2009
D0342009	“T”	City of Geraldton-Greenough	29/12/2009
D0352009	McKay	Water Corporation	30/12/2009
D0362009	Cox	Town of Claremont	31/12/2009
D0012010	Kolo	Water Corporation	13/01/2010
D0022010	MacTiernan	Department of the Premier and Cabinet	21/01/2010
D0032010	“U”	Department of Health	28/01/2010
D0042010	Ravlich	Minister for Police	28/01/2010
D0052010	Ravlich	Attorney General	29/01/2010
D0062010	Ravlich	Minister for Education	26/02/2010
D0072010	“V”	Department of the Premier and Cabinet	23/03/2010
D0082010	Ravlich	Treasurer	24/03/2010
D0092010	Ravlich	Minister for Regional Development; Lands; Minister Assisting the Minister for Transport; Minister Assisting the Minister for State Development	30/03/2010
D0102010	Ravlich	Minister for Energy; Training and Workforce Development	30/03/2010
D0112010	Ravlich	Deputy Premier; Minister for Health; Indigenous Affairs	30/03/2010
D0122010	Courtney	Western Australia Police	31/03/2010
D0132010	Stasinowsky	Department of Corrective Services	09/04/2010
D0142010	“W”	North Metropolitan Health Service	30/04/2010
D0152010	Cherian	Shire of Peppermint Grove	30/04/2010
D0162010	Ravlich	Minister for Water; Mental Health	14/05/2010
D0172010	Ravlich	Minister for Regional Development; Lands; Minister Assisting the Minister for Transport; Minister Assisting the Minister for State Development	21/05/2010
D0182010	Wallace	Workcover Western Australia Authority (Workcover WA)	25/05/2010
D0192010	Ravlich	Minister for Mines; Petroleum; Fisheries; Electoral Affairs	28/05/2010
D0202010	Roberts	WA Country Health Service - South West	02/06/2010
D0212010	Carroll	Department of Commerce	16/06/2010

2.2.5 Other Applications

There were 20 other applications finalised this year. They were applications to make a complaint out of time (s.66(4)); where internal review had not been applied for or completed (s.66(6)); applications for waiver of the requirement to consult third parties (s.35(1)); applications for an extension of the permitted time for an agency to deal with an access application (s.13(5)); and requests for destruction certificates (s.48(3)). These, together with the outcomes, are shown in Table 10.

TABLE 10: OUTCOME OF OTHER APPLICATIONS FINALISED

AGENCY	NO INTERNAL REVIEW s.66(6)		OUT OF TIME s.66(4)		EXTENSION OF TIME S.13(5)		WAIVER OF REQUIREMENT TO CONSULT s.35(1)	REQUEST FOR DESTRUCTION CERTIFICATE s.48(3)	TOTAL MATTERS FINALISED
	A	R	A	R	A	C	R	R	
Bassendean, Town of						1			1
Belmont, City of			1						1
Child Protection, Department for							1		1
Child Protection, Minister for				1					1
Commerce, Department of						1			1
Corrective Services, Department of		1							1
Forestry, Minister for				1					1
Gosnells, City of								1	1
Health, Department of		1							1
Housing, Department of					2				2
Insurance Commission of Western Australia		1							1
Legal Practice Board of WA, The		1							1
Nedlands, City of	1								1
Planning, Department of		1							1
Public Sector Standards Commissioner, Office of the		1							1
Regional Development; Lands, Minister for				4					4
TOTAL	1	6	1	6	2	2	1	1	20

Key: A-Approved; C-Conciliated; R-Refused

2.3 ADVICE AND AWARENESS

The *Advice and Awareness* team provides members of the public and agencies with assistance in exercising their respective rights and obligations by giving advice on how to follow the correct procedures for making or dealing with an application under the Act. Policy development within agencies is encouraged so that the impact of the obligations imposed on the day-to-day operations of agencies by the Act is minimised. Many potential disputes are resolved informally with the assistance of the OIC.

All members of the OIC contribute to the following functions for which the *Advice and Awareness* team is primarily responsible:

- ❖ training courses for agency staff;
- ❖ targeted workshops/seminars;
- ❖ provision of assistance, briefings and advice to agencies on the processes required by the Act;
- ❖ provision of advice and assistance to members of the public on the procedure for exercising their rights under the Act;
- ❖ visits to country regions;
- ❖ briefings to community groups;
- ❖ production of articles providing advice and guidance on the workings of the Act;
- ❖ distribution of brochures to assist applicants;
- ❖ answering enquiries by e-mail, telephone or at the counter;
- ❖ dealing with general correspondence;
- ❖ maintenance of statistical data and other information to assist in reporting to Parliament; and
- ❖ executive support including matters relating to the management and funding of the OIC.

Training Courses and Briefings

The OIC is proactive in raising awareness and understanding of the procedures and processes prescribed by the Act. Apart from requests

received for training or assistance, public sector needs are identified from a survey of agencies. Due to staff turnover, there is a periodic need for new agency staff to be briefed on the FOI process and agencies' obligations. This is done by conducting workshops, special forums, briefings, seminars or presentations for FOI Coordinators and decision-makers. These are conducted on an interactive basis, allowing for immediate response to questions and clarification of issues concerning FOI procedures and practices. The OIC provides speakers in response to invitations from organisations requiring an explanation of the FOI process.

A number of formal briefings, presentations and training sessions were conducted throughout the year under review. General briefings are tailored in each case to meet the needs of applicants or agencies. Briefings, presentations and training sessions given by staff of the OIC are shown in Table 11.

FOI Coordinator Workshops

Workshops are scheduled based on the level of demand and are conducted by the OIC at no charge to agencies. Eight full-day FOI Coordinators' workshops were held during the year in metropolitan and regional areas. The course introduces participants to the FOI legislation and the requirements which must be observed when dealing with an FOI application. Each session covers requests for information and the process to follow; exemptions; third party consultation; application fees and charges; notices of decision; and the role of the Commissioner. Participants have the opportunity to raise issues of concern and have the process explained to them in a practical way. Participants meet staff of the OIC who can be contacted should they require assistance when dealing with FOI requests. A comprehensive manual is provided to each participant at the course, for future reference.

A benefit of the shared resources arising from collocation with other accountability agencies is that we were able to host the majority of the FOI Coordinators' workshops in 2009/10 at our own premises. Feedback from participants who attended the workshops was very positive.

43 officers from local government agencies attended the workshops and 134 from State government agencies (including Ministers' offices).

Decision-makers' Forums

The half-day decision-makers' forum assists staff in agencies, including senior managers, to act as the decision-maker in respect of an application. It covers the options available to agencies when

responding to large applications; assisting an applicant to re-define the scope of the application; refusing to deal with an application; considering exemptions; applying the public interest test; preparing a notice of decision that complies with the Act; understanding the internal and external review processes; and making decisions. Attendees also establish contact with staff of the OIC who may be contacted for advice in the future, which is especially useful for those agencies that do not receive many applications. Three Decision-makers' forums were conducted in 2009/10, attended by a total of 47 officers of State government agencies (including Ministers' offices) and 6 officers of local government agencies.



Accountability agencies visit Mandurah in November 2009

Left to Right: Sandra Pelham, Investigation Officer, Commonwealth Ombudsman; Chris Field, Western Australian Ombudsman; Sven Bluemmel, Information Commissioner

Regional Awareness Program:

- ❖ *Geraldton 30 June – 2 July 2009*
- ❖ *Mandurah 10 – 11 November 2009*
- ❖ *Kimberley Region – Broome/Kununurra 3 – 6 May 2010*
- ❖ *Southwest Western Australia 17 – 18 May 2010*

Regional visits offer the opportunity to raise public and agency awareness of FOI procedures and processes to improve decision-making and meet officers of State and local government agencies.

As part of the Regional Awareness Program, the OIC visited Geraldton, Mandurah, Broome, Kununurra and Augusta-Margaret River, together with other key accountability agencies. Seminars were held for community groups, members of the public and regionally-based public sector agencies. The OIC delivered a number of workshops and briefings explaining the process and procedures that apply when dealing with applications for documents held by State or local government agencies.

Comprehensive briefing sessions were presented to staff at Geraldton Health Campus and Peel Health Campus. A briefing session was also presented to staff at Broome Hospital with video-link to Derby and Kununurra Hospitals. The briefings included clarification of personal information, third party consultation, notices of decision and the review process. The briefings were informal and interactive, allowing for clarification of any points raised.

Two FOI awareness raising sessions were held for staff of the Shire of Broome, followed by a comprehensive FOI training session for officers of the Shire and other government agencies.

The OIC also visited the Kimberley Development Commission in Kununurra which hosted a training session for government officers.

Two FOI briefing sessions were conducted for the officers of the Shire of Augusta-Margaret River. A FOI Coordinators' workshop for Shire officers including those from neighbouring shires was hosted and held at the Shire of Augusta-Margaret River.

TABLE 11: ATTENDEES AT PRESENTATIONS

TRAINING SESSIONS (No.)	STATE GOVERNMENT	LOCAL GOVERNMENT	MINISTERIAL STAFF	TOTAL
FOI Coordinators Workshops (7)	126	43	8	177
Decision Makers Forums (3)	45	6	2	53
Sub-total				230
BRIEFINGS (No.)				TOTAL
Agencies (16)				390
Public (3)				84
Sub-total				474
GRAND TOTAL OF ATTENDEES				704

TABLE 12: FORMAL TRAINING AND PRESENTATIONS

DATE	PRESENTATION STYLE	AUDIENCE
1 July 2009	FOI Briefing	Geraldton Hospital
1 July 2009	FOI Briefing	Officers from State and local government agencies
30 July 2009	FOI Coordinators' Workshop	Officers from State and local government agencies
12 August 2009	FOI Coordinators' Workshop	Officers from State and local government agencies
9 September 2009	Decision-makers' Forum	Officers from State and local government agencies
18 September 2009	FOI Briefing	Ministers' Chiefs of Staff
7 October 2009	FOI Coordinators' Workshop	Officers from State and local government agencies
27 October 2009	FOI Briefing	Department of Water
6 November 2009	FOI Coordinators' Workshop	Officers from State and local government agencies
10 November 2009	FOI Briefing	City of Rockingham
10 November 2009	FOI Briefing	Mandurah Community Groups
11 November 2009	FOI Briefing	Peel Health Campus
11 November 2009	FOI Briefing	Officers from State and local government agencies - Mandurah
17 February 2010	Decision-makers' Forum	Officers from State and local government agencies
3 March 2010	FOI Coordinators' Workshop	Officers from State and local government agencies
9 April 2010	FOI Coordinators' Workshop	Officers from State and local government agencies
16 April 2010	FOI Briefing	Office of Energy
20 April 2010	FOI Briefing	Murdoch University
22 April 2010	FOI Briefing	Department of Commerce
28 April 2010	FOI Briefing	Edith Cowan University
3 May 2010	FOI Briefing	Officers from State and local government agencies - Broome
3 May 2010	FOI Briefing	Kimberley Health Region
4 May 2010	FOI Briefing	Shire of Broome - Officers from State and local government agencies
4 May 2010	FOI Briefing	Shire of Broome
4 May 2010	FOI Briefing	Broome Community Groups
6 May 2010	FOI Briefing	Kimberley Development Commission
12 May 2010	Decision-makers' Forum	Officers from State and local government agencies
17 May 2010	FOI Briefing x 2	Shire of Augusta-Margaret River
18 May 2010	FOI Coordinators' Workshop	Officers from local government agencies - Shire of Augusta-Margaret River
8 June 2010	FOI Briefing	Officers from State and local government agencies
16 June 2010	FOI Coordinators' Workshop	Officers from State and local government agencies

Web Site and Electronic Communications

The OIC web site (www.foi.wa.gov.au) contains extensive information about the FOI process. It is structured into sections including: *About FOI?* which provides assistance with the objects of the Act including *Frequently Asked Questions (FAQs)*, guides to the *FOI process* and some of the most frequently cited exemption clauses; *Publications* which contains links to the Act and Regulations, annual reports, brochures and articles giving guidance on the FOI process; and *Decisions* which contains copies of all formal decisions made on complaints, including links to appeal decisions of the Supreme Court.

The web site allows searches of published decisions to be conducted in a variety of ways, such as: searching by agency or complainant name; by exemption clause; by section of the Act; or by catchword. This is a valuable resource for agencies and members of the public who may be researching the interpretation given to particular exemptions and sections of the Act. Such ready access to precedents contributes to a higher level of understanding and application of the legislation by decision-makers.

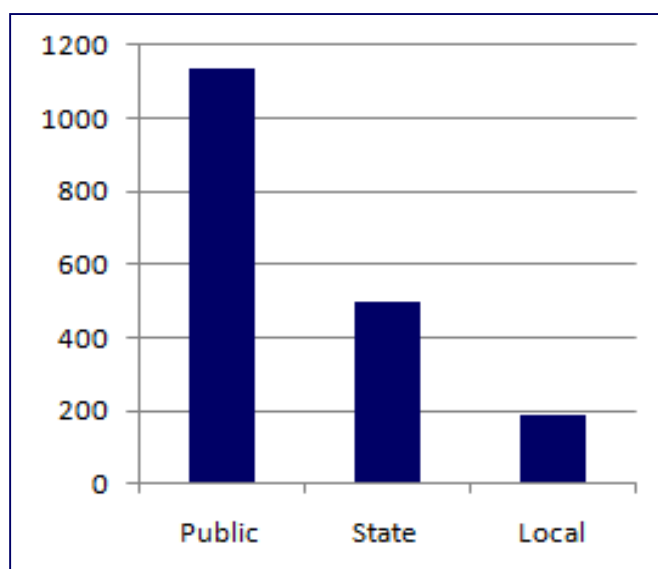
The section entitled *Training* contains the latest news and training information available and a facility to register for training courses. The *Miscellaneous* section provides ancillary information, such as our contact details and feedback facilities. There are also links to other related web sites.

The web site received a much-needed makeover during 2009/10. The new look also makes provision for easier accessibility in line with WA government website governance requirements.

Telephone Enquiries

There were 1,823 telephone enquiries received during the year (1,765 in 2008/09). Over 62% (1,137) of telephone enquiries received (60% in 2008/09) were from members of the public seeking advice on how to make an application or to enquire about or confirm their review rights. The balance was from officers of State government (27%-496) and local government (10%-190) agencies seeking assistance in dealing with access applications or advice regarding other statutory obligations under the Act.

Figure 1



Written Enquiries

Written requests for advice and misdirected access applications are dealt with almost exclusively by members of the *Advice and Awareness* team. The average turnaround time for responses to written enquiries of this nature is two days. These matters are separately identified and reported on as part of the *Advice and Awareness* output.

There were 275 written enquiries for advice and assistance received and dealt with during the year. The written enquiries were received by letter and by email.

Sixty five of these were misdirected access applications. That is, they were applications which should have been sent to the agency holding the documents sought and not to this office. As in past years, the agencies the subject of the greatest number of misdirected applications were the Western Australia Police

(20) and the Department of Corrective Services (15). Written enquiries, including misdirected applications, resulted in advice being given to the correspondent as to the proper procedures to be followed or other matters relating to the administration of the Act. In some cases, where the enquiry was from an applicant, enquiries were also made with the agency concerned to ascertain the status of the application to assist the office in responding helpfully to the applicant and, if necessary, advice was also given to the agency in those cases.

Table 13 shows a summary of applications that were mistakenly directed to the OIC instead of to the agency holding the documents.

Of the remaining written enquiries, 179 were requests for advice concerning applications made under the FOI Act and a further 31 dealt with written advice dealing with other matters.

TABLE 13: MISDIRECTED APPLICATIONS RECEIVED

Year	Corrections	Police	Other	Total
2005/2006	22	23	17	62
2006/2007	16	35	40	91
2007/2008	15	24	33	72
2008/2009	15	33	25	73
2009/2010	15	20	30	65

2.4 ADMINISTRATION

The Commissioner's statutory function under the Act necessitates the delivery of a range of services to the public, agencies and Parliament, including:

- ❖ complaint resolution;
- ❖ giving advice about the Act and procedures;
- ❖ the publication of formal decisions on complaints;
- ❖ the distribution of awareness raising and educational material;
- ❖ talks and information sessions for community groups;
- ❖ a free call telephone line for WA country callers;
- ❖ a web site located at <http://www.foi.wa.gov.au>;
- ❖ a telephone advisory service;
- ❖ FOI training sessions;
- ❖ specifically tailored meetings or advisory sessions for agencies; and
- ❖ providing an annual report on the workings of the legislation.

The OIC has a Customer Service Charter and Code of Conduct, which all staff are required to observe. Copies are available on request.

Performance standards have been established to ensure that all staff undertake their duties in a manner that is a credit to the professional and independent status of the OIC.

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SIGNIFICANT ISSUES AND TRENDS

3. SIGNIFICANT ISSUES AND TRENDS

This year the two provisions of the Act that were most frequently the subject of complaints to the Commissioner were decisions relating to s.20 (the work involved in dealing with an application) and s.26 (documents that cannot be found or do not exist), particularly in relation to electronic documents. Members of Parliament again made up a large group of complainants, while Ministers' offices were again the subject of a significant number of access applications.

3.1 Refusal to deal with large applications

A considerable portion of this office's resources was spent dealing with complaints about agencies' decisions to refuse to deal with an access application under s.20 of the Act. Those complaints highlighted the importance of agencies and applicants engaging at an early stage in meaningful communication to clarify the specific documents and information sought. This includes agencies adequately explaining to an applicant why an application is too big to deal with and offering practical suggestions to reduce the application to a manageable level. At the same time, it is important that applicants are reasonable in their expectations and open to negotiating the size of an application to a level that the agency can realistically manage. For the Act to function effectively both parties must be prepared to assist in reducing the amount of work required to deal with large access applications. It is likely that better communication between agencies and applicants would have significantly reduced the number of s.20 complaints made to the Commissioner and the work required from agencies on external review.

3.2 Stopping the clock

It also became apparent this year that a number of agencies, particularly Ministers, routinely advise applicants that the time for dealing with large applications is suspended until the applicant reduces the scope of the application. Such advice is misconceived. Under s.13 of the

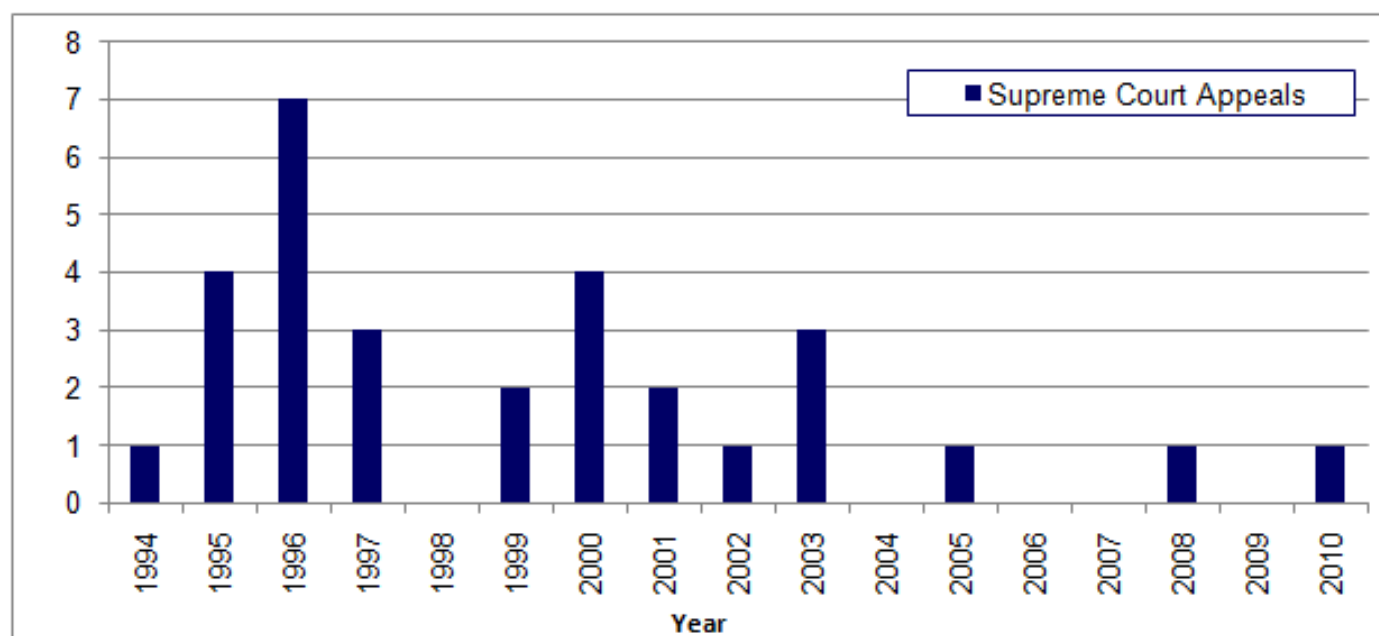
Act, an agency has to deal with an access application as soon as practicable but in any event within 45 days (the permitted period) unless the parties agree to some other period or an extension of time is allowed by the Commissioner. In *Re Ravlich and Attorney General; Minister for Corrective Services* [2009] WAICmr 17, the Commissioner noted that the 45 day permitted period may be suspended only for the reasons set out in s.13. In other words, the statutory 'clock' may not be stopped during discussions to clarify or reduce the scope of an application or during the s.20 process.

3.3 Searches for documents

Another issue that was highlighted this year was the need for agencies (including Ministers) to set out in their FOI files the specific searches and inquiries they have made for the requested documents so that, in the event that a decision is the subject of external review, officers would not later have to recall the searches made. Where that has not been done, it is likely that searches will have to be conducted all over again on external review. To avoid that additional workload, it is recommended that agencies note, for each access application dealt with, the electronic and hard copy files searched; the locations searched; the search terms or key words used to locate the documents; and the names and titles of the staff members who conducted those searches. All of that information should be recorded on the agency's FOI file.

If an agency is relying on s.26 in its decision, the agency should set out the searches conducted and the inquiries made for the requested documents in the notice of decision given to the access applicant. This gives applicants the opportunity to suggest further searches or inquiries that could be made, which may avoid the need for an external review. On a number of occasions this year, agencies that conducted additional searches on external review located

FIGURE 2: Supreme Court Appeals relating to FOI matters



further documents within the scope of the application. Those documents could have been identified sooner if the agency had satisfied its obligation under s.26 of the Act to take “*all reasonable steps*” to find those documents at first instance.

3.4 Supreme Court appeals

This year one decision of the Commissioner was the subject of an appeal to the Supreme Court. That appeal was lodged by the Water Corporation arising from the Commissioner’s decision in *Re McKay and Water Corporation* [2009] WAICmr 35. The appeal was heard on 17 June 2010. As at the end of the reporting period, the Court had not delivered its judgment.¹

3.5 Agency Statistics 2010

Section 111 of the Act requires that the Commissioner’s annual report to the Parliament includes certain specified information relating to the number and nature of applications dealt with by agencies under the Act during the year. To enable that to occur, agencies are also required

by s.111 to provide the Commissioner with the specified information. That information for 2009/10 is set out in detail in the statistical tables at the end of this report. The following is an overview.

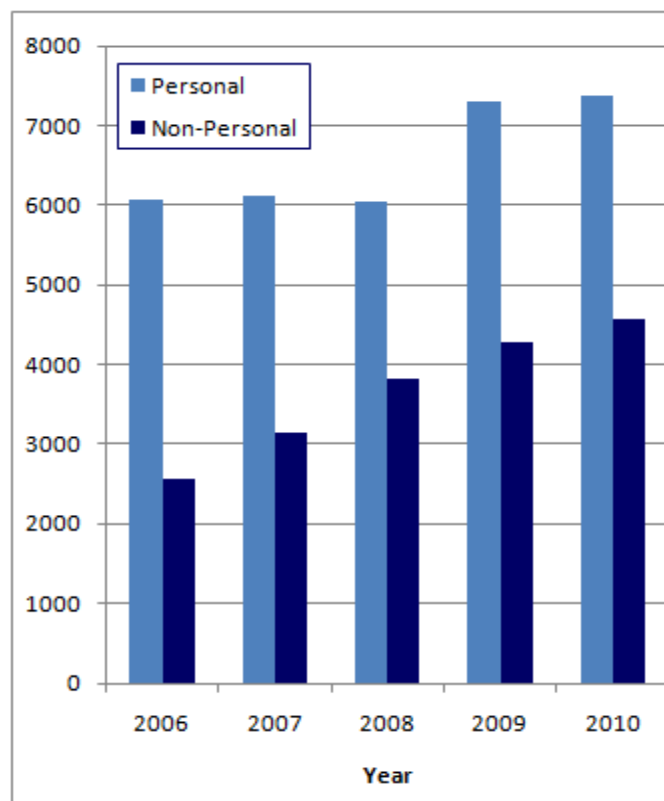
The primary responsibility for making decisions on FOI applications and otherwise giving effect to the provisions of the Act rests with agencies. Applications under the Act are made in the first instance to the government agency holding, or likely to hold, the documents sought, and the agency must deal with and decide the application. As can be seen from a review of previous annual reports of the Commissioner, the number of access applications made to agencies under the Act has steadily increased, from 3,323 at the end of the first full financial year of operation of the Act (1994/95) to 12,994 in the year under review. That represents an increase of approximately 291% in 15 years from 1995 and 5.3% from last year (12,336).

3.5.1 Applications

From the statistical tables at the end of this report, it can be seen that, as in recent previous years, the Western Australia Police received the highest number of applications made to a single

¹ The Court delivered its judgment on 17 August 2010, confirming the Commissioner’s decision. The judgment can be found at <http://www.foi.wa.gov.au>

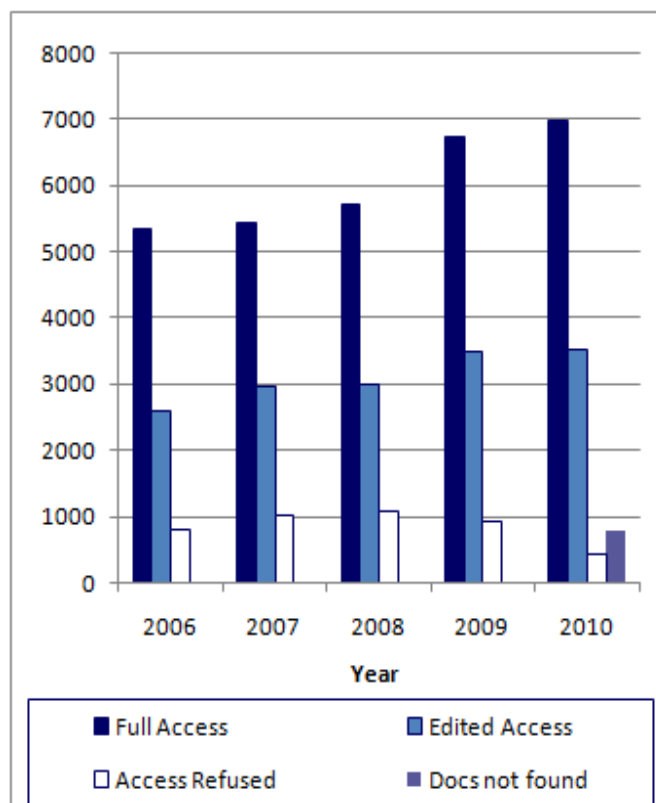
FIGURE 3
Number of Applications Decided — All Agencies



agency (2,198 - an increase of 19.0% from last year), with the next highest being received by Royal Perth Hospital (1,659 - an increase of 1.34% from last year), followed by Sir Charles Gairdner Hospital (1,054 - an increase of 6.6% from last year), and another 4,060 in total received by various other health service providers (hospitals, health services and the Department of Health), representing a slight decrease of 0.87% over last year.

Of the 12,994 applications received by agencies in 2009/10, 567 (just over 4.4%) were received by local government agencies and 12,427 (95.6%) by State government agencies. Of the local government agencies, the City of Stirling received the highest number of applications (70), followed by the City of Swan (38), the City of Joondalup (32), the City of Bayswater (27), the Shire of Murray (25) and the City of Fremantle (20). A number of local government agencies located in the country areas reported having received either no applications or very few applications.

FIGURE 4
Outcome of Decisions — All Agencies

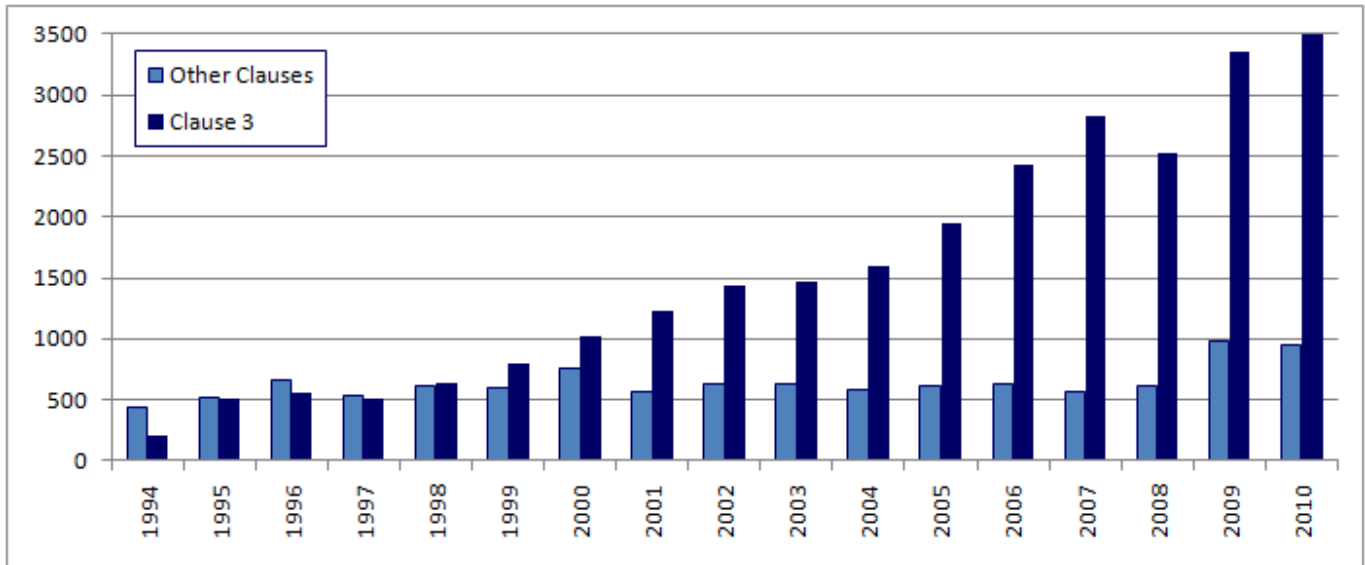


Of the applications made to State government agencies, 140 were made to Ministers, which was significantly less than the number made to Ministers last year (267). The Minister receiving the highest number of applications was the Hon T Buswell, Treasurer; Minister for Commerce; Science and Innovation; Housing and Works with 29 applications (up until the Minister's resignation in April 2010), with the next highest being the Hon C Porter, Attorney General; Minister for Corrective Services (16).

3.5.2 Decisions

Of the decisions on access made by Ministers in the reporting period, 9 (7.7%) were to give full access; 86 (73.5%) were to give access to edited copies of documents; and 13 (11.1%) were to refuse access. The statistical tables also reveal that 11,135 decisions on access applications were made by State government agencies i.e. exclusive of local government agencies and Ministers, under the Act in 2009/10. Of those decisions made, 61.5% resulted in the applicant

FIGURE 5: Use of Exemption Clauses — All Agencies



being given access in full to the documents sought; 28.0% resulted in the applicant being given access to edited copies of the documents sought; and 0.4% resulted in either access being given but deferred, or being given in accordance with s.28 of the Act (by way of an approved medical practitioner). In 6.8% of applications the agency could not find the requested documents. Only 3.3% of the decisions made were to refuse access. Those figures indicate that approximately 89.8% of the 11,135 decisions made by State Government agencies on FOI applications were to the effect that access in some form was given. That is consistent with the statistics for the previous year.

3.5.3 Exemptions

Also consistent with previous years, the exemption clause most frequently claimed by agencies from both State and local government sectors (excepting those claimed by Ministers and described above) was clause 3, which exempts from disclosure personal information about individuals other than the applicant. That clause was claimed 3,495 times in the year under review. Figure 5 compares the use of this clause with all other clauses used since 1994/95, which

indicates continued use of the exemption to protect personal privacy. The next most frequently claimed exemptions were: clause 6, which relates to the deliberative processes of government (201 times); clause 7, which protects from disclosure documents which would be privileged from production in legal proceedings on the ground of legal professional privilege (186 times); clause 8, which protects confidential communications (161 times); clause 4, which relates to certain commercial or business information of private individuals and organisations (142 times); and clause 5 which relates to law enforcement, public safety and property security (104 times). The exemption clauses claimed most by Ministers were clause 3 (personal information); clause 6 (deliberative processes of government); and clause 1 (Cabinet and Executive Council documents).

3.5.4 Internal Review

Agencies received 208 applications for internal review of decisions relating to access applications during 2009/10. This represents about 2% of all decisions made and about 17% of decisions made to refuse access including those where documents could not be found. In the year under review, 201 applications for

internal review were dealt with. The decision under review was confirmed on 156 occasions, varied on 39 occasions, reversed on 4 occasions and the application for internal review was withdrawn on 2 occasions. Thirteen applications for amendment of personal information were made to agencies during the year. Twelve applications were dealt with, resulting in personal information being amended on 8 occasions, not amended on one occasion and amended, but not as requested, on 3 occasions. The three reported applications for internal review of decisions relating to the amendment of personal information resulted in the initial decision being confirmed on two occasions, with one application remaining to be decided.

3.5.5 Average Time

The average time taken by agencies to deal with access applications (32 days) increased by approximately five days from the previous year, but is still within the maximum period of 45 days permitted by the Act. A chart depicting the average days taken by agencies in dealing with access applications appears below.

3.5.6 Charges

The average amount of charges imposed by agencies for dealing with access applications decreased in comparison with the previous year—by \$4.20 per non-personal application. There had previously been an obvious upward trend over the 3 years from 2006/07 to 2008/09 so this is a welcome change.

FIGURE 6
Average Days — All Agencies

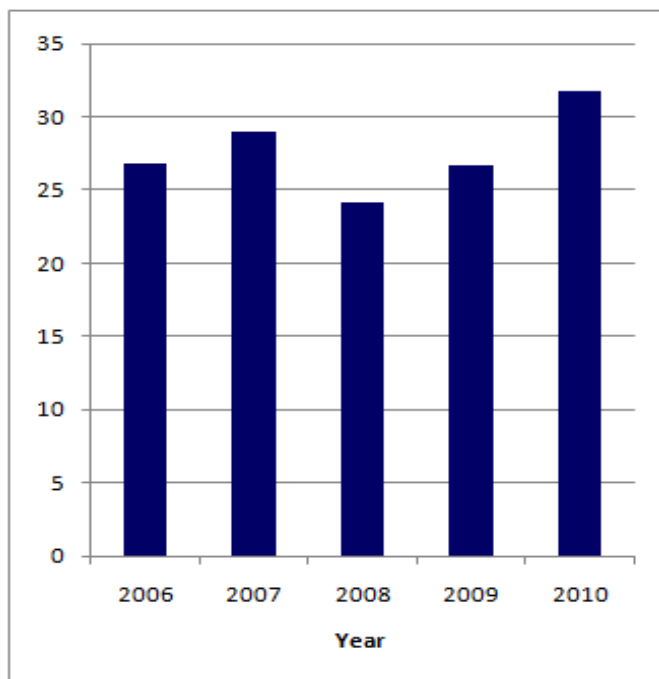
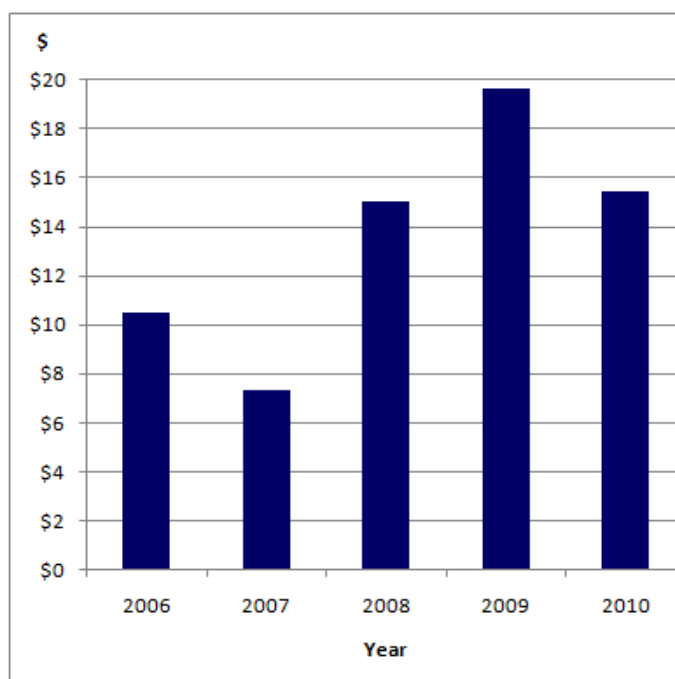


FIGURE 7
Average Charge for Access — All Agencies



DISCLOSURES AND LEGAL COMPLIANCE

4. DISCLOSURES AND LEGAL COMPLIANCE

4.1 Delegations

The delegation power in s.79 prohibits the Commissioner from delegating the power under s.75 to require production of documents and under s.76 to make decisions. This restriction means the exercise of the investigatory and decision-making powers is necessarily limited to the individual Commissioner's availability, which, given the office's commitment to making more timely decisions, is problematic. Consequently, in order to ameliorate this constraint, the Act should be amended to allow the powers in s.75 and 76 to be exercised by delegation to a senior staff member. Consistency of decisions can be assured because the normal rules for construction of the power to delegate (contained in s.59 of the *Interpretation Act 1984*) mean that the Commissioner is not precluded by such a delegation from exercising the power, and can impose conditions, qualifications and exceptions on such delegations.

4.2 Compliance with Other Acts

Compliance with legislative and associated reporting requirements which apply to the office and which is not dealt with elsewhere in this report is reported below.

Disability Services Act 1993 (s.29): Work continues on the implementation of the office's Disability Access and Inclusion Plan (DAIP) to ensure the six goals of the DAIP continue to be met.

Electoral Act 1907 (s.175ZE): The table below lists expenditure incurred on advertising, market research polling, direct mail or media advertising activities during the year.:

TABLE 14: ADVERTISING EXPENDITURE

Expenditure Category	Details	Amount
Advertising	Vacancy	\$433.03
Advertising	FOI Review	\$5497.32

State Records Act 2000 (s.61), and *State Records Commission Standards, Standard 2, Principle 6*: The first revision of the Office's Record Keeping Plan was approved by the State Records Commission on 23 March 2009. The office administrative record keeping system adheres to the Keyword AAA record keeping system, and the office Records Manager has the responsibility of ensuring that all records are properly logged and filed. The Records Manager attends workshops and seminars on records management issues as required, and further staff instruction on the record keeping practices of the OIC is conducted.

Occupational Health and Safety Act 1984: The office is committed to an occupational safety and health and injury management system which has been established by the OIC for the benefit of all staff. A documented injury management system was developed during the 2007/08 financial year which is compliant with the *Workers' Compensation and Injury Management Act 1981* and the associated *Workers' Compensation Code of Practice (Injury Management) 2005*. This system has been formally introduced to staff and is made available through the OIC's Knowledge Management System.

An ergonomic assessment of individual staff workstations and the office environment was conducted by Ergonomica in June 2009. This was supported by group education sessions on safe work practices. A further assessment of occupational safety and health management systems is planned for the 2010/11 financial year, following the implementation of the DTF Shared Services Occupational Safety & Health and Workers Compensation solution.

The accountability agencies meet on a regular basis to discuss a range of issues including matters related to occupational health and safety. Any matters of note to employees are raised at the monthly office management meeting which is

the formal mechanism by which consultation occurs with employees on occupational safety and health matters.

Two staff, the Information Commissioner and the Information Services Manager, attended a course entitled "Monitor a Safe Workplace" regarding the implementation and monitoring of occupational health and safety and injury management policies, procedures and programs to meet legislative requirements.

Performance against injury management targets for 2009/10 is outlined in the table below.

Public Sector Management Act 1994, s.31(1)

There were no compliance issues arising during the financial year regarding the Public Sector Standards, the WA Code of Ethics, or the agency Code of Conduct. The OIC has also introduced a Grievance Policy based on the OPSSC Employee Grievance Resolution Standard.

Government Policies

The OIC endeavours to comply with government policies insofar as they do not interfere with or compromise the independence of the operation of the OIC from executive government.

TABLE 15: INJURY MANAGEMENT TARGETS

<i>Indicator</i>	<i>Target 2009/10</i>	<i>Actual 2009/10</i>
Number of fatalities	Zero (0)	0
Lost time injury/disease (LTI/D) incidence rate	Zero (0) or 10% reduction on previous year	0
Lost time injury severity rate	Zero (0) or 10% improvement on previous year	0
Percentage of injured workers returned to work within 28 weeks	Actual percentage result	N/A
Percentage of managers trained in occupational safety, health and injury management responsibilities	Greater than or equal to 50%	100%

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PERFORMANCE INDICATORS

Performance Indicator Certification

We hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Office of the Information Commissioner, and fairly represent the performance of the Office of the Information Commissioner for the financial year ended 30 June 2010.



Sven Bluemmel
Information Commissioner

10 September 2010



Tony Pruyn
Senior Investigations Officer

10 September 2010



PERFORMANCE INDICATORS 2009/2010

DESIRED OUTCOME:

Access to documents and observance of processes in accordance with the *Freedom of Information Act* 1992 ('the FOI Act').

DESCRIPTION

Under the FOI Act, the main function of the Information Commissioner ('the Commissioner') is to provide independent external review of agencies' decisions by dealing with complaints about decisions made by agencies under the FOI Act. The Commissioner's other responsibilities include:

- ❖ ensuring that agencies are aware of their responsibilities under the FOI Act;
- ❖ ensuring members of the public are aware of the FOI Act and their rights under it;
- ❖ providing assistance to members of the public and agencies on matters relevant to the FOI Act; and
- ❖ recommending to Parliament legislative or administrative changes that could be made to help the objects of the FOI Act to be achieved.

The Office of the Information Commissioner ('the OIC') is made up of the Commissioner and the staff appointed by the Governor to assist the Commissioner to discharge those functions and responsibilities under delegated authority. These functions take the form of two outputs.

Output 1: Resolution of Complaints.**Output 2: Advice and Awareness.**

The intent of the FOI Act is to ensure that proceedings on external review are conducted with as little formality and technicality as the requirements of the FOI Act and a proper consideration of the matters before the Commissioner permit. Therefore, when dealing with complaints, the policy of the Commissioner is to ensure that wherever possible the conduct of external review proceedings is not unduly legalistic or formal. Accordingly, the preferred method of resolving complaints is by negotiating a conciliated outcome between the parties. However, where a conciliated outcome cannot reasonably be achieved, the Commissioner is required to make a determination by publishing a written decision with reasons.

Officers delivering the *Advice and Awareness* output also emphasise the spirit of the FOI Act when delivering advisory services. Wherever possible, agencies are encouraged to release information outside the FOI process where it is reasonable to do so or, where necessary, to follow the correct processes for dealing with an access application or an application for amendment of personal information under the FOI Act. Policy development within agencies which establishes routine information disclosure outside formal FOI processes is encouraged so that the impact of the obligations placed on agencies by the FOI Act on the day-to-day operations of those agencies is minimised. Many potential disputes are also resolved informally with assistance from the OIC.

The Performance Indicators ('the PIs') of the OIC detailed below have been designed to reflect the satisfaction of parties who use the services of the OIC, show the extent to which conciliation is achieved and measure efficiency by relating workload to costs. There are three Effectiveness PIs and two Efficiency PIs, which are summarised below:

Effectiveness performance indicators

- ❖ Satisfaction of parties with external review process.
- ❖ Satisfaction of agencies with advice and guidance provided.
- ❖ The extent to which complaints were resolved by conciliation.

Efficiency performance indicators

- ❖ Average cost of external reviews finalised.
- ❖ Average cost of advisory services delivered per recipient.

1. EFFECTIVENESS PERFORMANCE INDICATORS

1.1 Satisfaction of parties with external review process

	2006	2007	2008	2009	2010
Target	86%	80%	80%	85%	90%
Outcome	85%	75%	88%	91%	84%

The above indicator shows the level of satisfaction with the external review process by the parties to each of the complaints finalised during the year.

A Post Review Questionnaire (PRQ) is sent to the parties to an external review to seek their views on whether there was an independent, objective and fair process with an emphasis on user-friendly processes which met their needs. Three key questions are asked:

- ❖ Were you satisfied with the external review process?
- ❖ Do you consider that you were kept adequately informed regarding the progress of your case?
- ❖ Was the officer assigned to your case professional in his or her dealings with you?

A PRQ was sent to each of 220 parties who participated in an external review process following finalisation of the review process. Of the 220 PRQs sent, 134 participants (61%) responded by returning a completed PRQ. 79 responses were received from agencies and 55 were received from complainants.

The outcome of answers to question 1 above is used to calculate this indicator. The answers to questions 2 and 3 are also used by the OIC, but for internal performance management of complaints officers. Information in response to all three questions is taken into account when reviewing external review procedures.

Of the 134 responders, 113 (84%) answered 'yes' to question 1 and confirmed that they were satisfied with the external review process.

1.2 Satisfaction of agencies with advice and guidance provided

	2006	2007	2008	2009	2010
Target	98%	98%	98%	98%	98%
Outcome	98%	97%	97%	97%	98%

The *Advice and Awareness* section of the OIC provides a range of advisory services. Those services are provided direct by telephone, email and counter enquiries and through group training presentations and briefings and indirectly through published information and the internet website of the OIC.

A survey is conducted on an annual basis in conjunction with the annual statistical returns of agencies. The survey was sent to each of 326 State and local government agencies and Ministers. Of the 326 surveys sent, 287 agencies (88%) responded by returning a completed survey. Of the 287 respondent agencies, 209 confirmed receiving advice and guidance from this office.

Of those 209 agencies that received advice, 204 agencies (98%) expressed satisfaction with the advice and guidance provided to them by this office.

1.3 The extent to which complaints were resolved by conciliation

The external review model adopted by the OIC emphasises informal resolution processes such as negotiation and conciliation, wherever possible. If a complaint cannot be resolved by conciliation between the parties to the complaint, the Commissioner is required to make a formal determination.

The PI set out in 1.3 is designed to represent the success rate of the preferred resolution method. Therefore, the PI shows, as a percentage, those complaints finalised by conciliation as opposed to those complaints that required a decision by the Commissioner.

	2006	2007	2008	2009	2010
Target	70%	74%	75%	70%	65%
Outcome	72%	74%	62%	59%	56%

In total, 387 matters of all types were finalised by the OIC in 2009/10. However, of those 387 matters, only 106 were complaints, as defined in s.65 of the FOI Act. Of the 106 complaints resolved in 2009/10, 59 (56%) were resolved by conciliation. That is, as a result of negotiations conducted by the OIC, the parties agreed that no issues remained in dispute which required a decision by the Commissioner.

Note: The reduced outcome in 2010 of complaints resolved by conciliation is primarily due to the continuation of a management decision by the Commissioner in 2009 to limit the time spent pursuing conciliation before moving to formal determination of complaints. This was not envisaged at the start of the year and, therefore, the target for 2010 was not determined on the same basis.

2. EFFICIENCY PERFORMANCE INDICATORS

The OIC currently operates with 10 FTEs to deliver services under the two main functions prescribed by the FOI Act. As the primary function of the OIC is to deal with complaints received under the FOI Act, approximately 70% of the OIC's resources are allocated to the complaint resolution (external review) function. The other main function of the OIC is to provide advisory services to agencies and to the public. About 30% of the OIC's resources are allocated to the delivery of advice and awareness services.

2.1 Output 1 – Resolution of Complaints

Average cost of external reviews finalised

Included in calculating this PI are only those matters dealt with by the *Resolution of Complaints* section of the OIC in 2009/10 which were technically formal “complaints” (see s.65 of the FOI Act) and applications that required a determination under the FOI Act rather than general complaints or requests for assistance that are not technically “complaints”. General requests for assistance or for the intervention of the OIC, including misdirected applications, are reported on as part of the output of the *Advice and Awareness Services*. Most of those kinds of matters are dealt with by officers in the *Advice and Awareness* section of the OIC.

	2006	2007	2008	2009	2010
Budget	\$4,166	\$5,548	\$6,692	\$6,006	\$6,875
Actual	\$5,270	\$6,456	\$5,869	\$7,234	\$7,426

The table above reflects the costs incurred in resolving complaints and applications (eg. to lodge a complaint out of time; permission not to consult; etc.) that may require a determination. It is calculated by dividing the number of complaints and applications resolved by the OIC in 2009/10 (143) into the “cost of services” for the *Resolution of Complaints* output.

Note: Variations in the actual and budget average cost are due to:

- (1) *Fluctuations in the number of matters received and resolved in particular financial years.*
- (2) *A rationalisation of the method of cost apportioning between the two outputs by Shared Services to a standard (2010 = 68% Resolution of Complaints and 32% Advice and Awareness), rather than individual allocation of cost items.*
- (3) *One-off cost related to a significant review project conducted in 2010.*

2.2 Output 2 – Advice and Awareness Services

Average cost of advisory services delivered per recipient

In calculating this PI the total output units delivered by the Advice and Awareness section of the OIC in 2009/10 was used. The output units recorded by the OIC relate to where direct advisory services were provided. Those units will consist of a total of all telephone calls attended, written advice given by email and letter, counter inquiries attended and recipients of training and briefings.

	2006	2007	2008	2009	2010
Budget	\$55	\$120	\$152	\$187	\$233
Actual	\$105	\$92	\$107	\$133	\$176

The table above reflects the average cost of providing advice and awareness services to recipients. It is calculated by dividing the total number of recipients of advice and awareness services provided by the OIC in 2009/10 (2844) into “cost of services” for the *Advice and Awareness* output.

Note: Variations in the actual and budget average cost are due to:

- (1) *Fluctuations in the number of matters received and resolved in particular financial years.*
- (2) *A rationalisation of the method of cost apportioning between the two outputs by Shared Services to a standard (2010 = 68% Resolution of Complaints and 32% Advice and Awareness), rather than individual allocation of cost items.*
- (3) *One-off cost related to a significant review project conducted in 2010.*

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FINANCIAL STATEMENTS

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Office of the Information Commissioner - 30 June 2010

Disclosures and Legal Compliance**Financial Statements****Certification of Financial Statements**

For the year ended 30 June 2010

The accompanying financial statements for the Office of the Information Commissioner have been prepared in compliance with the provisions of the Financial Management Act 2006 from proper accounts and records to present fairly the transactions for the financial year ended 30 June 2010 and the financial position as at 30 June 2010.

At the date of signing we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



Michelle Fitzgerald
Chief Finance Officer
Date: 10/9/10



Sven Bluemmel
Information Commissioner
Date: 10/9/10





Auditor General

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

OFFICE OF THE INFORMATION COMMISSIONER FINANCIAL STATEMENTS AND KEY PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2010

I have audited the accounts, financial statements, controls and key performance indicators of the Office of the Information Commissioner.

The financial statements comprise the Statement of Financial Position as at 30 June 2010, and the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, Schedule of Income and Expenses by Service, Schedule of Assets and Liabilities by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, a summary of significant accounting policies and other explanatory Notes.

The key performance indicators consist of key indicators of effectiveness and efficiency.

Information Commissioner's Responsibility for the Financial Statements and Key Performance Indicators

The Information Commissioner is responsible for keeping proper accounts, and the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the Treasurer's Instructions, and the key performance indicators. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements and key performance indicators that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; making accounting estimates that are reasonable in the circumstances; and complying with the Financial Management Act 2006 and other relevant written law.

Summary of my Role

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the financial statements, controls and key performance indicators based on my audit. This was done by testing selected samples of the audit evidence. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion. Further information on my audit approach is provided in my audit practice statement. This document is available on the OAG website under "How We Audit".

An audit does not guarantee that every amount and disclosure in the financial statements and key performance indicators is error free. The term "reasonable assurance" recognises that an audit does not examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the financial statements and key performance indicators.

Office of the Information Commissioner**Financial Statements and Key Performance Indicators for the year ended 30 June 2010****Audit Opinion**

In my opinion,

- (i) the financial statements are based on proper accounts and present fairly the financial position of the Office of the Information Commissioner at 30 June 2010 and its financial performance and cash flows for the year ended on that date. They are in accordance with Australian Accounting Standards and the Treasurer's Instructions;
- (ii) the controls exercised by the Information Commissioner provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (iii) the key performance indicators of the Information Commissioner are relevant and appropriate to help users assess the Information Commissioner's performance and fairly represent the indicated performance for the year ended 30 June 2010.



GLEN CLARKE
ACTING AUDITOR GENERAL
14 September 2010

Statement of Comprehensive Income
For the year ended 30 June 2010

	Note	2010	2009
		\$	\$
COST OF SERVICES			
Expenses			
Employee benefits expense	6.	1,079,720	1,040,487
Supplies and services	7.	188,709	255,186
Depreciation expense	8.	7,850	7,914
Accommodation expenses	9.	189,370	180,313
Other expenses	10.	96,032	60,399
Total cost of services		1,561,681	1,544,299
Income			
Revenue			
Other Revenue	11.	4,291	4,375
Total revenue		4,291	4,375
Total income other than income from State Government		4,291	4,375
NET COST OF SERVICES		1,557,390	1,539,924
INCOME FROM STATE GOVERNMENT			
Service Appropriation	12.	1,704,000	1,469,000
Resources received free of charge	12.	5,411	88,107
Total income from State Government		1,709,411	1,557,107
SURPLUS/(DEFICIT) FOR THE PERIOD		152,021	17,183
OTHER COMPREHENSIVE INCOME		-	-
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		152,021	17,183

Refer to the 'Schedule of Income and Expenses by Service'.

The Income Statement should be read in conjunction with the accompanying notes.

Statement of Financial Position
As at 30 June 2010

	Note	2010 \$	2009 \$
ASSETS			
Current Assets			
Cash and cash equivalents	21.	271,479	81,332
Receivables	14.	18,726	46,790
Amounts receivable for services	15.	-	30,000
Other current assets	16.	7,046	5,960
Total Current Assets		297,251	164,082
Non-Current Assets			
Restricted cash and cash equivalents	13.,21.	15,910	13,891
Amounts receivable for services	15.	30,000	-
Plant and equipment	17.	19,408	27,258
Total Non-Current Assets		65,318	41,149
TOTAL ASSETS		362,569	205,231
LIABILITIES			
Current Liabilities			
Payables	18.	53,587	100,074
Provisions	19.	184,488	135,881
Total Current Liabilities		238,075	235,955
Non-Current Liabilities			
Provisions	19.	51,438	53,241
Total Non-Current Liabilities		51,438	53,241
Total Liabilities		289,513	289,196
NET ASSETS		73,056	(83,965)
EQUITY			
Contributed Equity	20.	37,000	32,000
Accumulated surplus/(deficiency)	20.	36,056	(115,965)
TOTAL EQUITY		73,056	(83,965)

Refer to the 'Schedule of Assets and Liabilities by Service'

The Balance Sheet should be read in conjunction with the accompanying notes.

Statement of Changes in Equity
For the year ended 30 June 2010

	<u>Note</u>	<u>Contributed Equity</u>	<u>Reserves</u>	<u>Accumulated surplus/(deficit)</u>	<u>Total Equity</u>
		\$	\$	\$	\$
Balance at 1 July 2008	20.	27,000	-	(133,809)	(106,809)
Changes in accounting policy or correction of prior period errors		-	-	661	661
Restated balance at 1 July 2008		27,000	-	(133,148)	(106,148)
Total Comprehensive Income for the year		-	-	17,183	17,183
Transactions with owners in their capacity as owners					
Capital appropriations		5,000	-	-	5,000
Total		5,000	-	-	5,000
Balance at 30 June 2009		32,000	-	(115,965)	(83,965)
Balance at 1 July 2009		32,000	-	(115,965)	(83,965)
Total comprehensive income for the year		-	-	152,021	152,021
Balance at 30 June 2010		37,000	-	36,056	73,056

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows
For the year ended 30 June 2010

	Note	2010 \$	2009 \$
CASH FLOWS FROM STATE GOVERNMENT			
Service appropriations		1,704,000	1,439,000
Capital contributions		5,000	5,000
Holding account drawdowns		-	30,000
Net Cash provided by State Government		1,709,000	1,474,000
Utilised as follows:			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee benefits		(1,026,349)	(996,496)
Supplies and services		(522,820)	(457,957)
GST payments on purchases		(46,208)	(48,237)
GST payments to taxation authority		-	(104)
Receipts			
Receipts from service		35,078	4,302
GST receipts on sales		2,650	78
GST receipts from taxation authority		40,815	38,905
Net cash provided by/(used in) operating activities	21.	(1,516,834)	(1,459,509)
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of non-current physical assets		-	(20,333)
Net cash provided by/(used in) investing activities		-	(20,333)
Net increase/(decrease) in cash and cash equivalents		192,166	(5,842)
Cash and cash equivalents at the beginning of period		95,223	101,065
CASH AND CASH EQUIVALENTS AT THE END OF PERIOD	21.	287,389	95,223

Office of the Information Commissioner - 30 June 2010						
Schedule of Income and Expenses By Service						
For the year ended 30 June 2010						
	Resolution of complaints		Advice and Awareness		Total	
	2010	2009	2010	2009	2010	2009
	\$	\$	\$	\$	\$	\$
COST OF SERVICES						
Expenses						
Employee benefit expense	734,210	826,603	345,510	213,884	1,079,720	1,040,487
Supplies and services	128,322	184,685	60,387	70,501	188,709	255,186
Depreciation and amortisation expense	5,338	5,540	2,512	2,374	7,850	7,914
Accommodation expenses	128,772	129,532	60,598	50,781	189,370	180,313
Other expenses	65,302	39,943	30,730	20,456	96,032	60,399
Total cost of services	1,061,944	1,186,303	499,737	357,996	1,561,681	1,544,299
Income						
Other revenue	4,291	4,375	-	-	4,291	4,375
Total income other than income from State Government	4,291	4,375	-	-	4,291	4,375
NET COST OF SERVICES	1,057,653	1,181,928	499,737	357,996	1,557,390	1,539,924
INCOME FROM STATE GOVERNMENT						
Service appropriation	1,158,720	1,028,300	545,280	440,700	1,704,000	1,469,000
Resources received free of charge	3,679	68,327	1,732	19,780	5,411	88,107
Total income from State Government	1,162,399	1,096,627	547,012	460,480	1,709,411	1,557,107
Surplus/(deficit) for the period	104,746	(85,301)	47,275	102,484	152,021	17,183
The Schedule of Income and Expenses by Service should be read in conjunction with the accompanying notes.						
PLEASE REFER TO SCHEDULE OF ASSETS AND LIABILITIES BELOW						

Office of the Information Commissioner - 30 June 2010

Schedule of Assets and Liabilities by Service

For the year ended 30 June 2010

	Resolution of complaints		Advice and Awareness		Total	
	2010	2009	2010	2009	2010	2009
	\$	\$	\$	\$	\$	\$
ASSETS						
Current assets	202,131	113,351	95,120	50,731	297,251	164,082
Non-current assets	44,416	28,804	20,902	12,345	65,318	41,149
Total assets	246,547	142,155	116,022	63,076	362,569	205,231
LIABILITIES						
Current liabilities	161,891	176,256	76,184	59,699	238,075	235,955
Total non-current liabilities	34,978	41,232	16,460	12,009	51,438	53,241
Total liabilities	196,869	217,488	92,644	71,708	289,513	289,196
NET ASSETS	49,678	(75,333)	23,378	(8,632)	73,056	(83,965)

The Schedule of Assets and Liabilities by Service should be read in conjunction with the accompanying notes.

Office of the Information Commissioner - 30 June 2010

Summary of Consolidated Account Appropriations and Income Estimates
For the year ended 30 June 2010

	2010 Estimate \$	2010 Actual \$	Variance \$	2010 Actual \$	2009 Actual \$	Variance \$
<u>Delivery of Services</u>						
Item 69 Net amount appropriated to deliver services	1,318,000	1,518,000	200,000	1,518,000	1,291,000	227,000
Amount Authorised by Other Statutes						
-Freedom of Information Act 1992	184,000	186,000	2,000	186,000	178,000	8,000
Total appropriations provided to deliver services	1,502,000	1,704,000	202,000	1,704,000	1,469,000	235,000
<u>Capital</u>						
Capital Contribution	5,000	5,000	-	5,000	5,000	-
GRAND TOTAL	1,507,000	1,709,000	202,000	1,709,000	1,474,000	235,000
<u>Details of Expenses by Service</u>						
Resolution of complaints	1,100,000	1,061,944	(38,056)	1,061,944	1,186,303	(124,359)
Advice and Awareness	471,000	499,737	28,737	499,737	357,996	141,741
Total Cost of Services	1,571,000	1,561,681	(9,319)	1,561,681	1,544,299	17,382
Less total revenues from ordinary activities	(4,000)	(4,291)	(291)	(4,291)	(4,375)	84
Net Cost of Services	1,567,000	1,557,390	(9,610)	1,557,390	1,539,924	17,466
Adjustment	(65,000)	146,610	211,610	146,610	(70,924)	217,534
Total appropriations provided to deliver services	1,502,000	1,704,000	202,000	1,704,000	1,469,000	235,000
<u>Capital Expenditure</u>						
Purchase of non-current physical assets	40,000	-	(40,000)	-	20,333	(20,333)
Adjustments for other funding sources	(35,000)	5,000	40,000	5,000	(15,333)	20,333
Capital Contribution (appropriation)	5,000	5,000	-	5,000	5,000	-

Adjustments comprise of movements in cash balances and other accrual items such as receivables, payables and superannuation.

Note 26 'Explanatory statement' provides details of any significant variations between estimates and actual results for 2010 and between the actual results for 2010 and 2009.

Notes to the Financial Statements
For the year ending 30 June 2010

Note 1. Australian Accounting Standards

General

The Office of the Information Commissioner (the "Commission" for the purpose of these notes). The Commission's financial statements for the year ended 30 June 2010 have been prepared in accordance with Australian Accounting Standards. The term 'Australian Accounting Standards' refers to Standards and Interpretations issued by the Australian Accounting Standard Board (AASB).

In preparing these financial statements the Commission has adopted where relevant to its operations, new and revised Australian Accounting Standards from their operative dates.

Early adoption of standards

The Commission cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements*. No Australian Accounting Standards that have been issued or amended but not operative have been early adopted by the Department for the annual reporting period ended 30 June 2010.

Note 2. Summary of significant accounting policies

(a) General statement

The financial statements constitute general purpose financial statements that have been prepared in accordance with Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's instructions. Several of these are modified by the Treasurer's instructions to vary application, disclosure, format and wording.

The *Financial Management Act* and the Treasurer's instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB.

Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

(b) Basis of preparation

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, except for land, buildings and infrastructure which have been measured at fair value.

The accounting policies adopted in the preparation of the financial statements have been consistently applied throughout all periods presented unless otherwise stated.

The financial statements are presented in Australian dollars and all values are rounded to the nearest dollars.

The judgements that have been made in the process of applying the Department's accounting policies that have the most significant effect on the amounts recognised in the financial statements are disclosed at note 3 'Judgements made by management in applying accounting policies'.

The key assumptions made concerning the future, and other key sources of estimation uncertainty at the end of the reporting period that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are disclosed at note 4 'Key sources of estimation uncertainty'.

Notes to the Financial Statements**For the year ending 30 June 2010****(c) Reporting entity**

The Office of the Information Commissioner is the reporting entity..

Mission

The Commission's mission is to promote public understanding and confidence in the decision making process of government agencies through access to relevant information. The Commission is predominantly funded by Parliamentary appropriations. It does not provide services on a fee-for-service basis. The financial statements encompass all funds through which the Department controls resources to carry on its functions.

Services

The Commission provides the following services:

Service 1: Resolution of complaints

Comprises of review and resolution of complaints received from the member of the public.

Service 2: Advice and Awareness

Provides members of the public and agencies with assistance in exercising their respective rights and obligations by giving advice on how to follow the correct procedures for making or dealing with an application under the FOI Act.

(d) Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed equity.

The transfer of net assets to/from other agencies, other than as a result of a restructure of administrative arrangements, are designated as contributions by owners where the transfers are non-discretionary and non-reciprocal.

(e) IncomeRevenue recognition

Revenue is measured at the fair value of consideration received or receivable. Revenue is recognised for the major business activities as follows:

Sale of goods

Revenue is recognised from the sale of goods and disposal of other assets when the significant risks and rewards of ownership transfer to the purchaser and can be measured reliably.

Provision of services

Revenue is recognised on delivery of the service to the client or by reference to the stage of completion of the transaction.

Service appropriations

Service appropriations are recognised as revenues at nominal value in the period in which the Commission gains control of the appropriated funds. The Commission gains control of the appropriated funds at the time those funds are deposited to the bank account or credited to the 'Amounts receivable for services' (holding account) held at Treasury.

Net Appropriation Determination

The Treasurer may make a determination providing for prescribed receipts to be retained for services under the control of the Commission. In accordance with the determination specified in the 2009-2010 Budget Statements, the Commission retained \$4,291 in 2010 (\$4,375 in 2009) from the following:

- executive vehicle scheme;
- other receipts;

**Notes to the Financial Statements
For the year ending 30 June 2010**Gains

Gains may be realised or unrealised and are usually recognised on a net basis. These include gains arising on the disposal of non-current assets and some revaluations of non-current assets.

(f) Plant and equipmentCapitalisation/expensing of assets

Items of plant and equipment costing \$5,000 or more are recognised as assets and the cost of utilising assets is expensed (depreciated) over their useful lives. Items of plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income.

Initial recognition and measurement

All items of plant and equipment are initially recognised at cost.

For items of plant and equipment acquired at no cost or for nominal cost, the cost is the fair value at the date of acquisition.

Subsequent measurement

Subsequent to initial recognition as an asset, the cost model is used for the measurement for all other property, plant and equipment. All other items of plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Derecognition

Upon disposal or derecognition of an item of plant and equipment, any revaluation surplus relating to that asset is retained in the asset revaluation surplus.

Depreciation

All non-current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

Depreciation on other assets is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

Office equipment	5 years
Computers	2 years

(g) Impairment of assets

Plant and equipment, infrastructure and intangible assets are tested for any indication of impairment at the end of each reporting period. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised. As the Commission is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

Intangible assets with an indefinite useful life and intangible assets not yet available for use are tested for impairment at the end of each reporting period irrespective of whether there is any indication of impairment.

The recoverable amount of assets identified as surplus assets is the higher of fair value less costs to sell and the present value of future cash flows expected to be derived from the asset. Surplus assets carried at fair value have no risk of material impairment where fair value is determined by reference to market-based evidence. Where fair value is determined by reference to depreciated replacement cost, surplus assets are at risk of impairment and the recoverable amount is measured. Surplus assets at cost are tested for indications of impairment at the end of each reporting period.

Notes to the Financial Statements
For the year ending 30 June 2010

(h) Leases

The Commission has not entered into any finance leases.

The Commission holds operating leases for buildings and motor vehicles. Lease payments are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased properties

(i) Financial instruments

In addition to cash and bank overdraft, the Commission has two categories of financial instrument:

- Loans and receivables; and
- Financial liabilities measured at amortised cost.

Financial instruments have been disaggregated into the following classes:

- Financial Assets
 - o Cash and cash equivalents
 - o Restricted cash and cash equivalents
 - o Receivables
- Financial Liabilities
 - o Payables

Initial recognition and measurement of financial instruments is at fair value which normally equates to the transaction cost or the face value. Subsequent measurement is at amortised cost using the effective interest method.

The fair value of short-term receivables and payables is the transaction cost or the face value because there is no interest rate applicable and subsequent measurement is not required as the effect of discounting is not material.

(j) Cash and cash equivalents

For the purpose of the Statement of Cash Flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

(k) Accrued salaries

Accrued salaries [refer to note 18 'Payables'] represent the amount due to staff but unpaid at the end of the financial year, as the pay date for the last pay period for that financial year does not coincide with the end of the financial year. Accrued salaries are settled within a fortnight of the financial year end. The Commission considers the carrying amount of accrued salaries to be equivalent to its net fair value.

The accrued salaries suspense account [refer to note 13 'Restricted cash and cash equivalent'] consists of amounts paid annually into a suspense account over a period of 10 financial years to largely meet the additional cash outflow in each eleventh year when 27 pay days occur instead of the normal 26. No interest is received on this account.

(l) Amounts receivable for services (holding account)

The Commission receives funding on an accrual basis that recognises the full annual cash and non-cash cost of services. The appropriations are paid partly in cash and partly as an asset (holding account receivable) that is accessible on the emergence of the cash funding requirement to cover leave entitlements and asset replacement.

(m) Receivables

Receivables are recognised and carried at original invoice amount less an allowance for any uncollectible amounts (i.e. impairment). The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off against the allowance account. The allowance for uncollectible amounts (doubtful debts) is raised when there is objective evidence that the Commission will not be able to collect the debts. The carrying amount is equivalent to fair value as it is due for settlement within 30 days.

Notes to the Financial Statements
For the year ending 30 June 2010**(n) Payables**

Payables are recognised at the amounts payable when the Commission becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as they are generally settled within 30 days.

(o) Provisions

Provisions are liabilities of uncertain timing or amount and are recognised where there is a present legal or constructive obligation as a result of a past event and when the outflow of resources embodying economic benefits is probable and a reliable estimate can be made of the amount of the obligation. Provisions are reviewed at the end of each reporting period.

Provisions - employee benefits*Annual leave and long service leave*

The liability for annual and long service leave expected to be settled within 12 months after the reporting period is recognised and measured at the undiscounted amounts expected to be paid when the liabilities are settled. Annual and long service leave expected to be settled more than 12 months after the reporting period is measured at the present value of amounts expected to be paid when the liabilities are settled. Leave liabilities are in respect of services provided by employees up to the end of the reporting period.

When assessing expected future payments consideration is given to expect future wage and salary levels including non-salary components such as employer superannuation contributions. In addition, the long service leave liability also considers the experience of employee departures and periods of service.

The expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

All annual leave and unconditional long service leave provisions are classified as current liabilities as the Commission does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting period.

Where applicable:

Purchased leave

The provision for purchased leave relates to Public Service employees who have entered into an agreement to self-fund up to an additional ten weeks leave per calendar year. The provision recognises the value of salary set aside for employees and is measured at the nominal amounts expected to be paid when the liabilities are settled. This liability is measured on the same basis as annual leave.

Superannuation

The Government Employees Superannuation Board (GESB) in accordance with legislative requirements administers public sector superannuation arrangements in Western Australia.

Employees may contribute to the Pension Scheme, a defined benefit pension scheme now closed to new members or the Gold State Superannuation Scheme (GSS), a defined benefit lump sum scheme also closed to new members.

The Commission has no liabilities for superannuation charges under the Pension or the GSS. The liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits due to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the Commission to the GESB. The concurrently funded part of the GSS is a defined contribution scheme as these contributions extinguish all liabilities in respect of the concurrently funded GSS obligations.

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension or the GSS became non-contributory members of the West State Superannuation (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). Both of these schemes are accumulation schemes. The Department makes concurrent contributions to GESB on behalf of employees in compliance with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. These contributions extinguish the liability for superannuation charges in respect of the WSS and GESBS.

The GESB makes all benefit payments in respect of the Pension and GSS, and is recouped from the Treasurer for the employer's share.

Notes to the Financial Statements
For the year ending 30 June 2010

Provisions – other

Employment on-costs

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses' and are not included as part of the Commission's 'Employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

(p) Superannuation expense

The superannuation expense in the Statement of Comprehensive Income comprises of employer contributions paid to the GSS (concurrent contributions), the WSS, and the GESBS.

The GSS is a defined benefit scheme for the purposes of employees and whole-of-government reporting. However, it is a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the agency to GESB extinguishes the agency's obligations to the related superannuation liability.

(q) Resources received free of charge or for nominal cost

Resources received free of charge or for nominal cost that can be reliably measured are recognised as income and as assets or expenses as appropriate, at fair value.

(r) Comparative figures

Comparative figures are, where appropriate, reclassified to be comparable with the figures presented in the current financial year.

Note 3 Judgements made by management in applying accounting policies

The preparation of financial statements requires management to make judgements about the application of accounting policies that have a significant effect on the amounts recognised in the financial statements. The Commission's evaluates these judgements regularly.

Operating lease commitments

The Commission has entered into a number of leases for buildings for accommodation. Some of these leases relate to buildings of a temporary nature and has been determined that the lessor retains substantially all the risks and rewards incidental to ownership. Accordingly, these leases have been classified as operating leases.

Note 4. Key sources of estimation uncertainty

There were no estimates or assumptions made concerning the future, or other key sources of estimation uncertainty at the date of Statement of Financial position that are likely to have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

Long Service Leave

In calculating the Department's long service leave provision, several estimations and assumptions have been made. These include expected future salary rates, salary inflation, discount rates, employee retention rates and expected future payments. Any changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision.

Note 5. Disclosure of changes in accounting policy and estimates

Initial application of an Australian Accounting Standard

The Department has applied the following Australian Accounting Standards effective for annual reporting periods beginning on or after 1 July 2009 that impacted on the Commission.

Notes to the Financial Statements

For the year ending 30 June 2010

AASB 101	<i>Presentation of Financial Statements</i> (September 2007). This Standard has been revised and introduces a number of terminology changes as well as changes to the structure of the Statement of Changes in Equity and the Statement of Comprehensive Income. It is now a requirement that owner changes in equity be presented separately from non-owner changes in equity. There is no financial impact resulting from the application of this revised Standard.
AASB 2007-10	<i>Further Amendments to Australian Accounting Standards arising from AASB 101</i> . This Standard changes the term 'general purpose financial report' to 'general purpose financial statements', where appropriate in Australian Accounting Standards and the Framework to better align with IFRS terminology. There is no financial impact resulting from the application of this Standard.
AASB 2009-2	<i>Amendments to Australian Accounting Standards – Improving Disclosures about Financial Instruments AASB 4, AASB 7, AASB 1023 & AASB 1038</i> . This Standard amends AASB 7 and will require enhanced disclosures about fair value measurements and liquidity risk with respect to financial instruments. There is no financial impact resulting from the application of this Standard.

Voluntary changes in accounting policy

The Commission has no voluntary changes in accounting policy.

Future impact of Australian Accounting Standards not yet operative

The Commission cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements*. Consequently, the Commission has not applied early any following Australian Accounting Standards that have been issued that may impact the Commission. Where applicable, the Commission plans to apply these Australian Accounting Standards from their application date.

		Operative for reporting periods beginning on/after
AASB 2009-11	<i>Amendments to Australian Accounting Standards arising from AASB 9 [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 121, 127, 128, 131, 132, 136, 139, 1023 & 1038 and Interpretations 10 & 12]</i> .	1 Jan 2013
	The amendment to AASB 7 requires modification to the disclosure of categories of financial assets. The Authority does not expect any financial impact when the Standard is first applied. The disclosure of categories of financial assets in the notes will change.	
AASB 1053	<i>Application of Tiers of Australian Accounting Standards</i>	1 July 2013
	This Standard establishes a differential financial reporting frame work consisting of two tiers of reporting requirements for preparing general purpose financial statements.	
	The Standard does not have any financial impact on the Commission. However it may affect disclosures in the financial statements of the Commission if the reduced disclosure requirements apply. DTF has not yet determined the application or the potential impact of the new Standard for agencies.	

Office of the Information Commissioner - 30 June 2010

**Notes to the Financial Statements
For the year ending 30 June 2010**

AASB 2010-2	<i>Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements</i>	1 July 2013
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This Standard makes amendments to many Australian Accounting Standards, including Interpretations, to introduce reduced disclosure requirements into these pronouncements for application by certain types of entities.

The Standard is not expected to have any financial impact on the Commission. However this Standard may reduce some note disclosures in financial statements of the Commission.

DTF has not yet determined the application or the potential impact of the amendments to these Standards for agencies.

Notes to the Financial Statements
For the year ending 30 June 2010

Note 6. Employee benefits expense

	2010	2009
	\$	\$
Wages and salaries ^(a)	831,756	861,762
Superannuation - defined contribution plans ^(b)	94,441	96,594
Long service leave ^(c)	68,889	5,569
Annual leave	84,634	76,562
	1,079,720	1,040,487

(a) Includes the value of the fringe benefit to the employee plus the fringe benefit tax component.

(b) Defined contribution plans include West State and Gold State (contributions paid).

(c) Includes a superannuation contribution component

Employment on-costs such as workers' compensation insurance are included at note 10 'Other Expenses'. The employment on-costs liability is included in note 19 'Provisions'.

Note 7. Supplies and Services

	2010	2009
	\$	\$
Goods and supplies	32,256	53,333
Services and contracts ^(a)	156,453	201,853
	188,709	255,186

(a) Includes Audit fees, see also note 29 'Remuneration of auditor'.

Note 8. Depreciation and amortisation expense

	2010	2009
	\$	\$
Office Equipment and Hardware	7,850	7,914
	7,850	7,914

Note 9. Accommodation expenses

	2010	2009
	\$	\$
Building rental operating lease expense	189,370	180,313
	189,370	180,313

Note 10. Other expenses

	2010	2009
	\$	\$
Communication expenses	12,904	11,350
Printing and binding	744	1,028
Equipment and vehicles operating lease expense	6,462	8,402
Electricity	2,442	6,562
Insurance	5,383	-
Repairs and Maintenance	2,393	19,975
Other expenses ^(a)	65,704	13,082
	96,032	60,399

(a) Includes workers compensation insurance; other employment on-costs; and other costs.

Notes to the Financial Statements
For the year ending 30 June 2010

Note 11. Other revenue

	2010	2009
	\$	\$
Contributions to motor vehicle scheme	-	490
Other revenue	4,291	3,885
	4,291	4,375

Note 12. Income from State Government

	2010	2009
	\$	\$
Appropriation received during the year:		
Service appropriations ^(a)	1,704,000	1,469,000
	1,704,000	1,469,000
Resources received free of charge ^(b)	-	-
Determined on the basis of the following estimates provided by agencies:		
Department of the Attorney General - Corporate Services		
- corporate services	-	83,456
DTF- Building Management Works	5,411	4,651
	5,411	88,107
	1,709,411	1,557,107

(a) Service appropriations are accrual amounts reflecting the full cost of services delivered. The appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the depreciation expense for the year and any agreed increase in leave liability during the year.

(b) Where assets or services have been received free of charge or for nominal cost, the Commission recognises revenues equivalent to the fair value of the assets and/or the fair value of those services that can be reliably measured and which would have been purchased if they were not donated, and those fair values shall be recognised as assets or expenses, as applicable. Where the contribution of assets or services are in the nature of contributions by owners, the Commission makes an adjustment direct to equity.

Note 13. Restricted cash and cash equivalents

	2010	2009
	\$	\$
<u>Non-current</u>		
Accrued salaries suspense account ^(a)	15,910	13,891
	15,910	13,891

(a) Amount held in the suspense account is only to be used for the purpose of meeting the 27th pay in a financial year that occurs every 11 years.

Note 14. Receivables

	2010	2009
	\$	\$
<u>Current</u>		
Receivables	2,853	33,641
GST Receivable	15,873	13,149
	18,726	46,790

Notes to the Financial Statements
For the year ending 30 June 2010

Note 15. Amounts receivable for services

	2010	2009
	\$	\$
Current	-	30,000
Non-Current	30,000	-
	30,000	30,000

Represents the non-cash component of service appropriations. See note 2(l) 'Amounts receivable for services (Holding Account)'. It is restricted in that it can only be used for asset replacement or payment of leave liability.

Note 16. Other Assets

	2010	2009
	\$	\$
<u>Current</u>		
Prepayments	7,046	5,960
	7,046	5,960

Note 17. Plant and Equipment

	2010	2009
	\$	\$
<u>Office equipment and computers</u>		
At Cost	120,444	120,444
Accumulated depreciation	(101,036)	(93,186)
	19,408	27,258

Reconciliation

Reconciliations of the carrying amounts of, plant and equipment at the beginning and end of the reporting period are set out below:

Carrying amount at start of year	27,258	14,831
Correction of prior period error	-	9
Additions	-	20,332
Depreciation	(7,850)	(7,914)
Carrying amount at end of year	19,408	27,258

Note 18. Payables

	2010	2009
	\$	\$
Current		
Trade payables	37,706	90,759
Accrued Salaries	15,881	9,315
	53,587	100,074

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Notes to the Financial Statements
For the year ending 30 June 2010

Note 19. Provisions

	2010	2009
	\$	\$
<u>Current</u>		
Employee benefits provision		
Annual leave ^(a)	35,023	26,466
Long service leave ^(b)	148,615	108,789
	183,638	135,255
Other provisions:		
Employment on-costs ^(c)	850	626
	184,488	135,881
<u>Non-current</u>		
Employee benefits provision		
Long service leave ^(b)	51,200	52,255
Deferred Salary Scheme	-	743
	51,200	52,998
Other provisions:		
Other employee on-costs ^(c)	238	243
	51,438	53,241

(a) Annual leave liabilities have been classified as current as there is no unconditional right to defer settlement for at least 12 months after end of the reporting period. Assessments indicate that actual settlement of the liabilities will occur as follows:

	2010	2009
	\$	\$
Within 12 months of the end of the reporting period	33,055	23,242
More than 12 months after the reporting period	1,968	3,224
	35,023	26,466

(b) Long service leave liabilities have been classified as current where there is no unconditional right to defer settlement for at least 12 months after end of the reporting period.

	2010	2009
	\$	\$
Within 12 months of the end of the reporting period	78,908	87,189
More than 12 months after the reporting period	120,907	73,855
	199,815	161,044

(c) The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers compensation insurance. The provision is the present value of expected future payments. The associated expense is included in note 10 'Other expenses'.

Movements in other provisions

	2010	2009
	\$	\$
Movements in each class of provisions during the financial year, other than employee benefits are set out below.		
<u>Employment on-cost provision</u>		
Carrying amount at start of year	869	1,796
Additional provisions recognised	219	(927)
Carrying amount at end of year	1,088	869

Notes to the Financial Statements
For the year ending 30 June 2010

Note 20. Equity

Equity represents the residual interest in the net assets of the Commission. The Government holds the equity interest in the Commission on behalf of the community. The asset revaluation reserve represents that portion of equity resulting from the revaluation of non-current assets.

Contributed Equity

	2010	2009
	\$	\$
Balance at the start of the year	32,000	27,000
Capital contributions	5,000	5,000
Balance at end of period	37,000	32,000

Reserves

Accumulated surplus/(deficit)

	2010	2009
	\$	\$
Balance at the start of the year	(115,965)	(133,809)
Changes in accounting policy ^(a)	-	652
Correction of prior period ^(b)	-	9
Result for the period	152,021	17,183
Balance at the end of the year	36,056	(115,965)

(a) the change in accounting policy relates to the impact of the change in the capitalisation policy from \$1,000 to \$5,000 during the financial year 2008-2009. A depreciation amount of \$652 was incorrectly recorded in 2008-2009 for an asset that was under \$5,000 and derecognised as at 01 July 2008.

(b) Correction of prior period relating to an asset that included a freight charge incorrectly in the cost of the asset.

Note 21. Notes to the Cash Flow Statement

Reconciliation of cash

Cash at the end of the financial year as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

	2010	2009
	\$	\$
Cash and cash equivalents	271,479	81,332
Restricted cash and cash equivalents (refer to note 13 'Restricted cash and cash equivalents')	15,910	13,891
	287,389	95,223

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Notes to the Financial Statements
For the year ending 30 June 2010

Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

	2010	2009
	\$	\$
Net cost of services	(1,557,390)	(1,539,924)
<u>Non-cash items:</u>		
Depreciation and amortisation expense	7,850	7,914
Resources received free of charge	5,411	88,107
<u>(Increase)/decrease in assets:</u>		
Current receivables ^(c)	30,788	(33,641)
Other current assets	(1,086)	(1,469)
<u>Increase/(decrease) in liabilities:</u>		
Current payables	(46,487)	16,803
Current provisions	48,607	23,012
Non-current provisions	(1,803)	(9,938)
Net GST receipts/(payments) ^(a)	(2,743)	-
Change in GST in receivables/payables ^(b)	19	(10,374)
Net cash provided by/(used in) operating activities	(1,516,834)	(1,459,510)

(a) This is the net GST paid/received, i.e cash transaction.

(b) This reverses out the GST in receivables and payables.

(c) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

Note 22. Resources provided free of charge

The Commission did not provide any resources to other agencies free of charge.

Note 23. Commitments

Non cancellable operating lease commitments

Commitments in relation to leases contracted for at the end of the reporting period but not recognised as liabilities in the financial statements are payables as follows:

	2010	2009
	\$	\$
Non-cancellable operating leases commitments		
Within 1 year	212,264	178,201
Later than 1 year and not later than 5 years	213,254	352,369
	425,518	530,570

Notes to the Financial Statements**For the year ending 30 June 2010**

The non cancellable operating leases represent the Commission's property lease and leases on its motor vehicles. The property lease is a non-cancellable lease with a term expiring July 2012. Rent, outgoings and car parking rental are payable monthly. Contingent rent provisions within the lease agreement allow for the minimum lease payments to be reviewed and increased in line with movements in market rents.

The motor vehicle lease is a non-cancellable lease with a two year term, with lease payments monthly. New vehicle leases are negotiated at the end of this period, the number of vehicle leases being subject to the Commission's operational needs.

These commitments are all inclusive of GST.

Note 24. Contingent liabilities and contingent assets**Contingent liabilities**

There are no contingent liabilities for the financial year 2009-2010.

Note 25. Event occurring after the balance sheet date.

There were no events occurring after the reporting date that impact on the financial statements.

Note 26. Explanatory Statement

Significant variations between estimates and actual results for income and expenses as presented in the financial statement 'Summary of Consolidated Account Appropriations and Income Estimates' are shown below: Significant variations are considered to be those greater than 10% or \$150,000.

Total appropriation to deliver services for the year**Significant variances between estimate and actual for 2010**

	2010 Estimate \$	2010 Actual \$	Variation \$
Net amount appropriated to deliver services	1,318,000	1,518,000	(200,000)

Net amount appropriated to deliver services

The responsibility for an independent review of the administration of the freedom of information process in State and local government agencies was transferred from the Department of the Premier and Cabinet to the OIC, together with one-off funding of \$200,000.

Significant variances between actuals for 2009 and 2010

	2010 \$	2009 \$	Variation \$
Total appropriation provided to deliver services for the year	1,704,000	1,469,000	235,000

Total appropriation provided to deliver services for the year

The responsibility for an independent review of the administration of the freedom of information process in State and local government agencies was transferred from the Department of the Premier and Cabinet to the OIC, together with one-off funding of \$200,000.

Notes to the Financial Statements
For the year ending 30 June 2010

Service Expenditure

Significant variances between actuals for 2009 and 2010

	2010	2009	Variation
	\$	\$	\$
Complaint Resolution	1,061,944	1,186,303	(124,359)
Advice & Awareness	499,737	357,996	141,741

Complaint Resolution

This variance is due to the full-year vacancy of the Principal Legal Officer position (level 6.1 specified callings).

Advice & Awareness

The variance is due to a change in the percentage split between the two outputs.

Note 27. Financial Instruments

(a) Financial Risk Management Objectives and Policies

Financial Instruments held by the Commission are cash and cash equivalents, restricted cash and cash equivalents and receivables and payables. All of the Commission's cash is held in the public bank account (non-interest bearing) apart from restricted cash held in a special purpose account. The Commission has limited exposure to financial risks. The Commission's overall risk management program focuses on managing the risks identified below.

Credit risk

Credit risk arises when there is the possibility of the Commission's receivables defaulting on their contractual obligations resulting in financial loss to Commission. The Commission measures credit risk on a fair value basis and monitors risk on regular basis.

The maximum credit risk at balance sheet date in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any provisions for impairment, as shown in the table at note 27(c).

Credit risk associated with the Commission's financial assets is minimal because the main receivable is amounts owing from other government agencies. For receivables other than government, the Commission trades only with recognised, creditworthy third parties. In addition, receivable balances are monitored on a ongoing basis with the result that the Commission's exposure to bad debts is minimal. There are no significant concentrations of credit risk.

Provision for impairment of financial assets is calculated based on past experience, and current and expected changes in client credit ratings. For financial assets that are either past due or impaired, refer to note 14 'Receivables'.

Notes to the Financial Statements
For the year ending 30 June 2010

Liquidity risk

The Commission is exposed to liquidity risk through its trading in the normal course of business. Liquidity risk arises when the Commission is unable to meet its financial obligations as they fall due.

The Commission has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

Market risk

The Commission does not trade in foreign currency and is not materially exposed to other price risks. Other than as detailed in the Interest rate sensitivity analysis table at Note 27(c), the Commission is not exposed to interest rate risk because all other cash and cash equivalents and restricted cash are non-interest bearing, and the Commission has no borrowings.

(b) Categories of Financial Instruments

In addition to cash, the carrying amounts of each of the following categories of financial assets and financial liabilities at the balance sheet date are as follows

	2010	2009
	\$	\$
<u>Financial Assets</u>		
Cash and cash equivalents	271,479	81,332
Restricted cash and cash equivalents	15,910	13,891
Receivables ^(a)	2,853	33,641
Amount receivable for services	30,000	30,000
<u>Financial Liabilities</u>		
Payables	53,587	90,759

(a) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

Notes to the Financial Statements
For the year ending 30 June 2010

Liquidity Risk

The following table details the contractual maturity analysis for financial liabilities. The contractual maturity amounts are representative of the undiscounted amounts at the balance sheet date. The table includes both interest and principal cash flows. An adjustment has been made where material.

Interest rate exposure and maturity analysis of financial liabilities

		<u>Interest rate exposure</u>		<u>Maturity Dates</u>											
	Weighted average effective interest rate %	Carrying Amount \$		Variable interest rate \$	Non-Interest Bearing \$	Adjustment for discounting \$	Total Nominal Amount \$	Maturity Dates							
								Up to 3 months \$	3 - 12 months \$	1 - 2 years \$	2 - 3 years \$	3 - 4 years \$	4 - 5 years \$	More than 5 years \$	
Financial Liabilities	5.57														
2010															
Payables		53,587	-	-	53,587	-	-	53,587	-	-	-	-	-	-	-
		53,587	-	-	53,587	-	-	53,587	-	-	-	-	-	-	-
2009															
Payables		90,759	-	-	90,759	-	-	90,759	-	-	-	-	-	-	-
		90,759	-	-	90,759	-	-	90,759	-	-	-	-	-	-	-

Interest rate sensitivity analysis

None of the Commission's financial assets and liabilities at the balance sheet date are sensitive to movements in interest rates, hence movements in interest rates have no bottom line impact on the Commission's surplus or equity.

Fair Values

All financial assets and liabilities recognised in the statement of financial position, whether they are carried at cost or fair value, are recognised at amounts that represent a reasonable approximation of fair value unless otherwise stated in the applicable notes.

Notes to the Financial Statements
For the year ending 30 June 2010

(C) Financial Instrument disclosures

Credit Risk and interest Rate Risk Exposures

The following table disclose the Commission's maximum exposure to credit risk, interest rate exposures and the ageing analysis of financial assets. The Commission's maximum exposure to credit risk at the end of the reporting period is the carrying amount of the financial assets as shown below. The table discloses the ageing of financial assets that are past due but not impaired and impaired in financial assets. The table is based on information provided to senior management of the Commission.

The Commission does not hold any collateral as security or other credit enhancements relating to the financial assets it holds.

The Commission does not hold any financial assets that had to have their terms renegotiated that would have otherwise resulted in them being past due or impaired.

Interest rate exposures and ageing analysis of financial assets ^(a)

	Weighted average effective interest rate %	Carrying Amount \$	Variable interest rate \$	Non- Interest Bearing \$	Past due but not impaired						
					Up to 3 months	3 - 12 months	1-2 Years	2-3 Years	3-4 Years	4-5 Years	More than 5 Years
							\$	\$	\$	\$	\$
<u>Financial assets</u>	5.57										
2010											
Cash and cash equivalents		271,479	-	271,479	-	-	-	-	-	-	-
Restricted cash and cash equivalent		15,910	-	15,910	-	-	-	-	-	-	-
Receivables(a)		2,853	-	2,853	2,853	-	-	-	-	-	-
Amount receivable for services		30,000		30,000	-	-	-	-	-	-	-
		320,242	-	320,242	2,853	-	-	-	-	-	-
2009											
Cash and cash equivalents		81,332	-	81,332	-	-	-	-	-	-	-
Restricted cash and cash equivalent		13,891	-	13,891	-	-	-	-	-	-	-
Receivables(a)		33,641	-	33,641	33,641	-	-	-	-	-	-
Amount receivable for services		30,000		30,000	-	-	-	-	-	-	-
		158,864	-	158,864	33,641	-	-	-	-	-	-

(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

Office of the Information Commissioner - 30 June 2010

Notes to the Financial Statements
For the year ending 30 June 2010

Note 28. Remuneration of senior officers

The number of senior officers whose total of fees, salaries, superannuation, non-monetary benefits and other benefits for the financial year, fall within the following bands are:

	2010	2009
\$	\$	\$
20,001 - 30,000	-	1
60,001 - 70,000	-	1
90,001 - 100,000	1	
130,001 - 140,000	1	1
150,001 - 160,000	-	1
200,001 - 210,000	1	-
The total remuneration of senior officers	430,925	371,853

The total remuneration includes the superannuation expense incurred by the Commission in respect of senior officers.

Note 29. Remuneration of Auditor

Remuneration payable to the Auditor General in respect of the audit for the current financial year is as follows:

Auditing the accounts, financial statements and performance indicators	20,900	20,000
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The expense is included at note 10 'Other expenses'.

Note 30. Supplementary Financial Information

There was no public property written-off by the Commission during the financial year (2009: nil).

There were no losses of public monies, public and/or other property through theft, default or other causes during the financial year (2009: nil)

There were no gifts of public property provide by the Commission during the financial year (2009: nil).

The Commission had no related bodies during the financial year (2009: nil).

The Commission had no affiliated bodies during the financial year (2009: nil).

STATISTICAL TABLES

TABLE 16: REQUESTS RECEIVED BY AGENCIES

AGENCY NAME	No.
Group: Boards, Committees, Commissions, Authorities, Corporations	
Acacia Prison	159
Albany Port Authority	0
Animal Resources Authority	0
Armadaale Redevelopment Authority	2
Botanic Gardens and Parks Authority	0
Broome Port Authority	1
Builders Registration Board	0
Building and Construction Industry Training Fund	0
Bunbury Port Authority	0
Bunbury Water Board (Aqwest)	1
Burswood Park Board	0
Busselton Water	2
Chemistry Centre Western Australia	1
Chiropractors' Registration Board	0
College of Teaching, Western Australian	0
Commissioner for Children and Young People, Office of the	0
Conservation Commission of Western Australia	0
Court Security and Custodial Services	0
Curriculum Council	0
Dampier Port Authority	0
Disability Services Commission	12
East Perth Redevelopment Authority	4
Economic Regulation Authority	0
Electoral Commission, Western Australian	0
Equal Opportunity Commission	2
Esperance Port Authority	0
Fire and Emergency Services Authority of Western Australia	82
Forest Products Commission	1
Fremantle Port Authority	3
Gascoyne Development Commission	2
Geraldton Port Authority	2
Gold Corporation	2
Goldfields Esperance Development Commission	2
Government Employees Superannuation Board	2
Great Southern Development Commission	1
Greyhound Racing Association, Western Australian	0
Hairdressers Registration Board	0
Heritage Council of Western Australia	4
Horizon Power	1
Independent Market Operator	0
Industrial Relations Commission, Office of the Registrar	0
Insurance Commission of Western Australia	165

AGENCY NAME	No.
Kimberley Development Commission	0
Land Authority (LandCorp), Western Australian	9
Landgate	6
Law Reform Commission	0
Legal Aid Western Australia	10
Legal Practice Board of WA, The	3
Legal Profession Complaints Committee	4
Liquor Commission	0
Lotteries Commission	2
Medical Board of Western Australia	8
Medical Radiation Technologists Registration Board of Western Australia	0
Metropolitan Cemeteries Board	0
Mid West Development Commission	2
Midland Redevelopment Authority	0
Minerals and Energy Research Institute of Western Australia	0
National Trust of Australia (WA)	0
Nurses and Midwives Board of Western Australia	0
Occupational Therapists' Registration Board of Western Australia	0
Optometrists' Registration Board of Western Australia	0
Osteopaths' Registration Board of Western Australia	0
Painters' Registration Board	0
Perth Market Authority	0
Physiotherapists Registration Board	0
Podiatrists' Registration Board	0
Port Hedland Port Authority	2
Potato Marketing Corporation of Western Australia	0
Professional Combat Sports Commission	0
Psychologists Registration Board of WA	3
Public Advocate, Office of the	2
Public Sector Commission	8
Public Sector Standards Commissioner, Office of the	11
Public Transport Authority	16
Real Estate and Business Agents Supervisory Board	7
Rottneest Island Authority	2
Salaries and Allowances Tribunal	0
Settlement Agents Supervisory Board	1
Small Business Development Corporation	1
South West Development Commission	3
Sports Centre Trust (VenuesWest)	0
State Administrative Tribunal	8
Subiaco Redevelopment Authority	0
Synergy	2
Tourism Commission, Western Australian	8
Treasury Corporation, Western Australian	0

STATISTICAL TABLES continued

REQUESTS RECEIVED BY AGENCIES (cont...)

AGENCY NAME	No.
Verve Energy	4
Water Corporation	41
Western Power	20
Wheatbelt Development Commission	2
Workcover Western Australia Authority (Workcover WA)	15
Zoological Parks Authority	0
<i>Sub-total: Boards, Committees, Commissions, Authorities, Corporations</i>	651
Group: Departments (except Police and Health agencies)	
Agriculture and Food, Department of	24
Attorney General, Department of the	119
Central Institute of Technology	4
Challenger Institute of Technology	4
Child Protection, Department for	97
Commerce, Department of	271
Communities, Department for	5
Corrective Services, Department of	730
Durack Institute of Technology	0
Education, Department of	43
Education Services, Department of	0
Environment and Conservation, Department of	259
Environmental Protection Authority, Office of the	17
Fisheries, Department of	4
Great Southern Institute of Technology	0
Housing, Department of	93
Indigenous Affairs, Department of	10
Kimberley College of TAFE	0
Local Government, Department of	16
Main Roads Western Australia	47
Mines and Petroleum, Department of	395
Pilbara College of TAFE	0
Planning, Department of	160
Polytechnic West	3
Premier and Cabinet, Department of the	87
Public Trust Office	3
Racing and Wagering Western Australia	2
Racing, Gaming and Liquor, Department of	18
Regional Development and Lands, Department of	8
Sport and Recreation, Department of	6
State Development, Department of	11
Training and Workforce Development, Department of	3
Transport, Department of	60
Treasury and Finance, Department of	59
Water, Department of	82
West Coast Institute of Training	1
<i>Sub-total: Departments</i>	2641

AGENCY NAME	No.
Group: Health related agencies	5
C&AHS - Princess Margaret Hospital for Children	242
Dental Health Services	0
Drug and Alcohol Office	4
Health, Department of	80
Health Promotion Foundation WA	0
Health Review, Office of	1
Joondalup Health Campus	431
NMAHS - Graylands Selby-Lemnos and Special Care Health Services	204
NMAHS - Osborne Park Hospital	38
NMAHS - Sir Charles Gairdner Hospital	1,054
NMAHS - Swan Kalamunda Health Service	214
NMAHS - Women and Newborn Health Service	86
PathWest Laboratory Medicine WA	8
Pharmaceutical Council of Western Australia, The	0
SMAH - Armadale-Kelmscott Memorial Hospital	269
SMAH - Bentley Hospital	134
SMAH - Fremantle Hospital	768
SMAH - Rockingham-Kwinana District Hospital	241
SMAH - Royal Perth Hospital	1,659
WACHS - Great Southern	93
WACHS - Kimberley	407
WACHS - Midwest	84
WACHS - Pilbara	49
WACHS - South West	347
WACHS - Wheatbelt	360
<i>Sub-total:Health related</i>	6773
Group: Local government agencies	
Albany, City of	11
Armadale, City of	12
Ashburton, Shire of	0
Augusta-Margaret River, Shire of	2
Bassendean, Town of	2
Bayswater, City of	27
Belmont, City of	14
Beverley, Shire of	0
Bridgetown-Greenbushes, Shire of	2
Brookton, Shire of	0
Broome, Shire of	6
Broomehill-Tambellup, Shire of	1
Bruce Rock, Shire of	0
Bunbury, City of	12
Busselton, Shire of	11
Cambridge, Town of	10

REQUESTS RECEIVED BY AGENCIES (cont...)

AGENCY NAME	No.
Canning, City of	16
Capel, Shire of	2
Carnamah, Shire of	0
Carnarvon, Shire of	3
Chittering, Shire of	4
Claremont, Town of	6
Cockburn, City of	14
Coorow, Shire of	1
Corrigin, Shire of	0
Cranbrook, Shire of	0
Cuballing, Shire of	0
Cue, Shire of	0
Cunderdin, Shire of	0
Dalwallinu, Shire of	0
Dandaragan, Shire of	1
Dardanup, Shire of	2
Derby-West Kimberley, Shire of	1
Donnybrook-Balingup, Shire of	0
Dowerin, Shire of	0
Dumbleyung, Shire of	0
Dundas, Shire of	0
East Fremantle, Town of	2
East Pilbara, Shire of	3
Esperance, Shire of	1
Exmouth, Shire of	0
Fremantle, City of	20
Geraldton-Greenough, City of	18
Gingin, Shire of	3
Gnowangerup, Shire of	0
Goomalling, Shire of	0
Gosnells, City of	15
Halls Creek, Shire of	0
Harvey, Shire of	3
Irwin, Shire of	1
Jerramungup, Shire of	0
Joondalup, City of	32
Kalamunda, Shire of	14
Kalgoorlie-Boulder, City of	10
Katanning, Shire of	0
Kellerberrin, Shire of	1
Kent, Shire of	0
Kondinin, Shire of	0
Kwinana, Town of	4
Lake Grace, Shire of	0

AGENCY NAME	No.
Laverton, Shire of	0
Leonora, Shire of	0
Mandurah, City of	17
Meekatharra, Shire of	0
Melville, City of	10
Menzies, Shire of	0
Merredin, Shire of	0
Moora, Shire of	0
Morawa, Shire of	0
Mosman Park, Town of	1
Mount Magnet, Shire of	0
Mount Marshall, Shire of	0
Mukinbudin, Shire of	0
Mullewa, Shire of	0
Mundaring, Shire of	15
Murray, Shire of	25
Nannup, Shire of	0
Narembeen, Shire of	0
Narrogin, Town of	0
Nedlands, City of	14
Northampton, Shire of	0
Peppermint Grove, Shire of	1
Perenjori, Shire of	1
Perth, City of	19
Pingelly, Shire of	0
Plantagenet, Shire of	0
Port Hedland, Town of	4
Quairading, Shire of	0
Rockingham, City of	11
Roebourne, Shire of	0
Serpentine/Jarrahdale Shire	6
South Perth, City of	7
Stirling, City of	70
Subiaco, City of	8
Swan, City of	38
Tammin, Shire of	0
Three Springs, Shire of	0
Trayning, Shire of	0
Upper Gascoyne, Shire of	0
Victoria Park, Town of	4
Victoria Plains, Shire of	0
Vincent, Town of	7
Wanneroo, City of	14

STATISTICAL TABLES continued

REQUESTS RECEIVED BY AGENCIES (cont...)

AGENCY NAME	No.
Waroonna, Shire of	5
West Arthur, Shire of	0
Westonia, Shire of	0
Wickepin, Shire of	0
Wiluna, Shire of	0
Wyalkatchem, Shire of	0
Wyndham-East Kimberley, Shire of	
Yalgoo, Shire of	0
York, Shire of	3
<i>Sub-total: Local government</i>	567
Group: Ministers	
Buswell MLA, Hon T	29
Castrilli MLA, Hon J	5
Collier MLC, Hon P	11
Constable MLA, Hon E	9
Day MLA, Hon J	11
Faragher MLC, Hon D	5
Grylls MLA, Hon B	9
Hames MLA, Hon K	13
Jacobs MLA, Hon G	3
Johnson MLA, Hon R	8
Marmion MLA, Hon W	4
McSweeney MLC, Hon R	1
Moore MLC, Hon N	1
O'Brien MLC, Hon S	13
Porter MLA, Hon C	16
Waldron MLA, Hon T	2
<i>Sub-total: Ministers</i>	140
Group: Police	
Police, Western Australia	2,198
<i>Sub-total: Police</i>	2198
Group: Universities	
Curtin University of Technology	9
Edith Cowan University	4
Murdoch University	6
University of Western Australia, The	5
<i>Sub-total: Universities</i>	24
Total	12,994

Notes:

- (1) This table reflects the total number of applications lodged and includes applications which may have been transferred to another agency, withdrawn or which are still to be dealt with.
- (2) The number actually dealt with by a decision issued to the applicant is reflected in the following table.
- (3) If an agency does not appear in this table, this is because the required statistical data was not received in time for publication.

TABLE 17: DECISIONS MADE — OUTCOME

Agency	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	S.26 No. (%)	Refused No. (%)
Group: Boards, Committees, Commissions, Authorities, Corporations						
Acacia Prison	52(39.7)	73(55.7)	0(0.00)	0(0.00)	6(4.6)	0(0.00)
Broome Port Authority	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Chemistry Centre Western Australia	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Disability Services Commission	2(16.7)	6(50.0)	0(0.00)	0(0.00)	3(25.0)	1(8.3)
East Perth Redevelopment Authority	0(0.00)	2(66.7)	0(0.00)	0(0.00)	0(0.00)	1(33.3)
Equal Opportunity Commission	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Fire and Emergency Services Authority of Western Australia	5(6.6)	65(85.5)	2(2.6)	0(0.00)	2(2.6)	2(2.6)
Forest Products Commission	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Fremantle Port Authority	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	2(100.0)
Gascoyne Development Commission	0(0.00)	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Geraldton Port Authority	0(0.00)	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Gold Corporation	0(0.00)	1(50.0)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
Goldfields Esperance Development Commission	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Government Employees Superannuation Board	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
Great Southern Development Commission	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Heritage Council of Western Australia	1(33.3)	2(66.7)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Insurance Commission of Western Australia	7(4.4)	152(95.0)	0(0.00)	0(0.00)	0(0.00)	1(0.6)
Land Authority (LandCorp), Western Australian	1(25.0)	3(75.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Landgate	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Legal Aid Western Australia	8(80.0)	2(20.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Legal Practice Board of WA, The	0(0.00)	2(66.7)	0(0.00)	0(0.00)	0(0.00)	1(33.3)
Legal Profession Complaints Committee	2(50.0)	1(25.0)	0(0.00)	0(0.00)	0(0.00)	1(25.0)
Lotteries Commission	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
Medical Board of Western Australia	1(25.0)	3(75.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Mid West Development Commission	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Psychologists Registration Board of WA	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Public Advocate, Office of the	0(0.00)	1(50.0)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
Public Sector Commission	0(0.00)	6(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Public Sector Standards Commissioner, Office of the	3(33.3)	5(55.6)	0(0.00)	0(0.00)	0(0.00)	1(11.1)
Public Transport Authority	10(55.6)	4(22.2)	0(0.00)	0(0.00)	3(16.7)	1(5.6)
Real Estate and Business Agents Supervisory Board	2(40.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	3(60.0)
Rottneest Island Authority	0(0.00)	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Salaries and Allowances Tribunal	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Settlement Agents Supervisory Board	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Small Business Development Corporation	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
South West Development Commission	1(25.0)	2(50.0)	0(0.00)	0(0.00)	1(25.0)	0(0.00)
Sports Centre Trust (VenuesWest)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
State Administrative Tribunal	2(28.6)	0(0.00)	0(0.00)	0(0.00)	1(14.3)	4(57.1)
Subiaco Redevelopment Authority	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Synergy	0(0.00)	0(0.00)	1(50.0)	0(0.00)	1(50.0)	0(0.00)
Tourism Commission, Western Australian	2(28.6)	4(57.1)	0(0.00)	0(0.00)	0(0.00)	1(14.3)
Verve Energy	3(75.0)	1(25.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)

STATISTICAL TABLES continued
DECISIONS MADE—OUTCOME (cont...)

Agency	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	S.26 No. (%)	Refused No. (%)
Water Corporation	25(78.1)	6(18.8)	1(3.1)	0(0.00)	0(0.00)	0(0.00)
Western Power	10(58.8)	4(23.5)	0(0.00)	0(0.00)	0(0.00)	3(17.6)
Wheatbelt Development Commission	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
Workcover Western Australia Authority (Workcover	2(15.4)	9(69.2)	0(0.00)	0(0.00)	0(0.00)	2(15.4)
Sub-Total:	148	367(64.96)	4(0.71)	0(0.00)	17(3.01)	29(5.13)
Group: Departments (except Police and Health agencies)						
Agriculture and Food, Department of	5(20.8)	16(66.7)	1(4.2)	0(0.00)	2(8.3)	0(0.00)
Attorney General, Department of the	4(6.1)	3(4.5)	0(0.00)	0(0.00)	7(10.6)	52(78.8)
Central Institute of Technology	0(0.00)	1(50.0)	0(0.00)	0(0.00)	1(50.0)	0(0.00)
Challenger Institute of Technology	1(25.0)	2(50.0)	0(0.00)	0(0.00)	1(25.0)	0(0.00)
Child Protection, Department for	7(8.0)	65(74.7)	0(0.00)	0(0.00)	11(12.6)	4(4.6)
Commerce, Department of	8(3.0)	240(91.3)	0(0.00)	0(0.00)	4(1.5)	11(4.2)
Communities, Department for	0(0.00)	5(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Corrective Services, Department of	337(58.0)	115(19.8)	2(0.3)	1(0.2)	81(13.9)	46(7.9)
Education, Department of	11(30.6)	18(50.0)	0(0.00)	0(0.00)	7(19.4)	0(0.00)
Environment and Conservation, Department of	14(5.8)	76(31.4)	0(0.00)	0(0.00)	147(60.7)	5(2.1)
Environmental Protection Authority, Office of the	1(6.7)	8(53.3)	0(0.00)	0(0.00)	6(40.0)	0(0.00)
Fisheries, Department of	1(50.0)	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Housing, Department of	8(9.9)	61(75.3)	0(0.00)	0(0.00)	12(14.8)	0(0.00)
Indigenous Affairs, Department of	2(13.3)	11(73.3)	0(0.00)	0(0.00)	1(6.7)	1(6.7)
Local Government, Department of	0(0.00)	6(42.9)	0(0.00)	0(0.00)	2(14.3)	6(42.9)
Main Roads Western Australia	8(22.9)	27(77.1)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Mines and Petroleum, Department of	84(23.8)	70(19.8)	0(0.00)	0(0.00)	185(52.4)	14(4.0)
Planning, Department of	27(19.4)	74(53.2)	1(0.7)	0(0.00)	29(20.9)	8(5.8)
Polytechnic West	4(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Premier and Cabinet, Department of the	9(11.5)	45(57.7)	1(1.3)	0(0.00)	9(11.5)	14(17.9)
Public Trust Office	2(66.7)	0(0.00)	0(0.00)	0(0.00)	1(33.3)	0(0.00)
Racing and Wagering Western Australia	1(50.0)	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Racing, Gaming and Liquor, Department of	2(11.1)	12(66.7)	0(0.00)	0(0.00)	1(5.6)	3(16.7)
Regional Development and Lands, Department of	0(0.00)	6(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Sport and Recreation, Department of	0(0.00)	3(60.0)	1(20.0)	0(0.00)	1(20.0)	0(0.00)
State Development, Department of	0(0.00)	8(61.5)	0(0.00)	0(0.00)	4(30.8)	1(7.7)
Training and Workforce Development, Department of	0(0.00)	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Transport, Department of	10(18.2)	19(34.5)	0(0.00)	0(0.00)	12(21.8)	14(25.5)
Treasury and Finance, Department of	4(7.8)	34(66.7)	0(0.00)	0(0.00)	4(7.8)	9(17.6)
Water, Department of	1(1.4)	6(8.2)	0(0.00)	0(0.00)	66(90.4)	0(0.00)
West Coast Institute of Training	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Sub-Total:	552	935(41.08)	6(0.26)	1(0.04)	594(26.10)	188(8.26)

Agency	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	S.26 No. (%)	Refused No. (%)
Group: Health related agencies						
C&AHS - Princess Margaret Hospital for Children	178(84.0)	0(0.00)	4(1.9)	6(2.8)	12(5.7)	18(8.5)
Drug and Alcohol Office	4(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Health, Department of	30(48.4)	15(24.2)	0(0.00)	0(0.00)	14(22.6)	3(4.8)
Health Review, Office of	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Joondalup Health Campus	346(86.7)	52(13.0)	1(0.3)	0(0.00)	0(0.00)	0(0.00)
NMAHS - Graylands Selby-Lemnos and Special Care Health Services	152(79.2)	27(14.1)	0(0.00)	0(0.00)	13(6.8)	0(0.00)
NMAHS - Osborne Park Hospital	34(94.4)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	2(5.6)
NMAHS - Sir Charles Gairdner Hospital	971(95.8)	37(3.6)	0(0.00)	1(0.1)	0(0.00)	6(0.6)
NMAHS - Swan Kalamunda Health Service	179(86.9)	12(5.8)	3(1.5)	0(0.00)	9(4.4)	3(1.5)
NMAHS - Women and Newborn Health Service	62(89.9)	0(0.00)	0(0.00)	5(7.2)	4(5.8)	3(4.3)
PathWest Laboratory Medicine WA	7(77.8)	1(11.1)	0(0.00)	0(0.00)	0(0.00)	1(11.1)
SMAH - Armadale-Kelmscott Memorial Hospital	256(94.1)	12(4.4)	2(0.7)	0(0.00)	0(0.00)	2(0.7)
SMAH - Bentley Hospital	127(96.9)	0(0.00)	1(0.8)	2(1.5)	0(0.00)	1(0.8)
SMAH - Fremantle Hospital	722(99.0)	4(0.5)	0(0.00)	0(0.00)	0(0.00)	3(0.4)
SMAH - Rockingham-Kwinana District Hospital	236(94.0)	6(2.4)	0(0.00)	0(0.00)	0(0.00)	9(3.6)
SMAH - Royal Perth Hospital	1559(98.3)	18(1.1)	0(0.00)	0(0.00)	9(0.6)	0(0.00)
WACHS - Great Southern	69(81.2)	10(11.8)	1(1.2)	0(0.00)	5(5.9)	0(0.00)
WACHS - Kimberley	373(95.2)	15(3.8)	0(0.00)	0(0.00)	0(0.00)	4(1.0)
WACHS - Midwest	83(98.8)	0(0.00)	0(0.00)	0(0.00)	1(1.2)	0(0.00)
WACHS - Pilbara	40(97.6)	1(2.4)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
WACHS - South West	320(96.7)	0(0.00)	0(0.00)	0(0.00)	3(0.9)	8(2.4)
WACHS - Wheatbelt	288(93.2)	0(0.00)	0(0.00)	0(0.00)	18(5.8)	3(1.0)
Sub-Total:	6036(93.92)	211(3.28)	12(0.19)	14(0.22)	88(1.37)	66(1.03)
Group: Local government agencies						
Albany, City of	6(54.5)	5(45.5)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Armadale, City of	1(11.1)	6(66.7)	0(0.00)	0(0.00)	2(22.2)	0(0.00)
Augusta-Margaret River, Shire of	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Bassendean, Town of	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	2(100.0)
Bayswater, City of	11(47.8)	7(30.4)	0(0.00)	0(0.00)	3(13.0)	2(8.7)
Belmont, City of	0(0.00)	11(84.6)	0(0.00)	0(0.00)	1(7.7)	1(7.7)
Bridgetown-Greenbushes, Shire of	1(50.0)	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Broome, Shire of	3(50.0)	2(33.3)	0(0.00)	0(0.00)	0(0.00)	1(16.7)
Broomehill-Tambellup, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Bunbury, City of	5(50.0)	5(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Busselton, Shire of	4(57.1)	3(42.9)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Cambridge, Town of	2(25.0)	3(37.5)	0(0.00)	0(0.00)	0(0.00)	3(37.5)
Canning, City of	2(12.5)	12(75.0)	0(0.00)	0(0.00)	1(6.3)	1(6.3)
Capel, Shire of	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Carnarvon, Shire of	3(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Chittering, Shire of	3(75.0)	1(25.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Claremont, Town of	3(50.0)	1(16.7)	0(0.00)	0(0.00)	2(33.3)	0(0.00)
Cockburn, City of	10(83.3)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	2(16.7)

DECISIONS MADE—OUTCOME (cont...)

Agency	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	S.26 No. (%)	Refused No. (%)
Coorow, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Dandaragan, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Dardanup, Shire of	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
East Fremantle, Town of	1(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	1(50.0)
East Pilbara, Shire of	2(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Esperance, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Fremantle, City of	3(17.6)	13(76.5)	0(0.00)	0(0.00)	0(0.00)	1(5.9)
Geraldton-Greenough, City of	8(47.1)	0(0.00)	0(0.00)	0(0.00)	3(17.6)	6(35.3)
Gingin, Shire of	1(25.0)	2(50.0)	0(0.00)	0(0.00)	0(0.00)	1(25.0)
Gosnells, City of	2(13.3)	13(86.7)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Harvey, Shire of	4(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Irwin, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Joondalup, City of	0(0.00)	28(93.3)	0(0.00)	0(0.00)	2(6.7)	0(0.00)
Kalamunda, Shire of	1(8.3)	10(83.3)	0(0.00)	0(0.00)	0(0.00)	1(8.3)
Kalgoorlie-Boulder, City of	6(60.0)	4(40.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Kellerberrin, Shire of	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Kwinana, Town of	1(20.0)	4(80.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Mandurah, City of	1(8.3)	8(66.7)	0(0.00)	0(0.00)	1(8.3)	2(16.7)
Melville, City of	3(37.5)	4(50.0)	0(0.00)	0(0.00)	1(12.5)	0(0.00)
Mosman Park, Town of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Mundaring, Shire of	0(0.00)	15(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Murray, Shire of	3(13.0)	15(65.2)	0(0.00)	0(0.00)	1(4.3)	4(17.4)
Nedlands, City of	1(9.1)	8(72.7)	0(0.00)	0(0.00)	0(0.00)	2(18.2)
Peppermint Grove, Shire of	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Perenjori, Shire of	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Perth, City of	2(13.3)	12(80.0)	0(0.00)	0(0.00)	1(6.7)	0(0.00)
Port Hedland, Town of	3(75.0)	1(25.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Rockingham, City of	6(66.7)	2(22.2)	0(0.00)	0(0.00)	0(0.00)	1(11.1)
Serpentine/Jarrahdale Shire	0(0.00)	4(66.7)	0(0.00)	0(0.00)	1(16.7)	1(16.7)
South Perth, City of	1(16.7)	5(83.3)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Stirling, City of	14(21.2)	51(77.3)	0(0.00)	0(0.00)	0(0.00)	1(1.5)
Subiaco, City of	4(57.1)	3(42.9)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Swan, City of	1(3.1)	30(93.8)	0(0.00)	0(0.00)	1(3.1)	0(0.00)
Victoria Park, Town of	3(75.0)	1(25.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Vincent, Town of	0(0.00)	5(71.4)	0(0.00)	0(0.00)	2(28.6)	0(0.00)
Wanneroo, City of	2(14.3)	8(57.1)	0(0.00)	0(0.00)	1(7.1)	3(21.4)
Waroona, Shire of	1(25.0)	1(25.0)	0(0.00)	0(0.00)	2(50.0)	0(0.00)
York, Shire of	1(33.3)	2(66.7)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Sub-Total:	142(27.79)	308(60.27)	0(0.00)	0(0.00)	25(4.89)	36(7.05)
Group: Police						
Police, Western Australia	99(5.4)	1593(86.3)	2(0.1)	0(0.00)	66(3.6)	85(4.6)
Sub-Total:	99(5.37)	1593(86.34)	2(0.11)	0(0.00)	66(3.58)	85(4.61)

Agency	ACCESS PROVIDED					
	In Full No. (%)	Edited No. (%)	Deferred No. (%)	s.28 No. (%)	S.26 No. (%)	Refused No. (%)
Group: Ministers						
Buswell MLA, Hon T	0(0.00)	16(66.7)	0(0.00)	3(12.5)	0(0.00)	5(20.8)
Castrilli MLA, Hon J	1(25.0)	1(25.0)	0(0.00)	0(0.00)	1(25.0)	1(25.0)
Collier MLC, Hon P	3(37.5)	1(12.5)	0(0.00)	0(0.00)	0(0.00)	4(50.0)
Constable MLA, Hon E	1(10.0)	8(80.0)	0(0.00)	0(0.00)	0(0.00)	1(10.0)
Day MLA, Hon J	2(18.2)	7(63.6)	0(0.00)	0(0.00)	2(18.2)	0(0.00)
Faragher MLC, Hon D	0(0.00)	5(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Grylls MLA, Hon B	0(0.00)	7(87.5)	0(0.00)	0(0.00)	1(12.5)	0(0.00)
Hames MLA, Hon K	0(0.00)	11(91.7)	0(0.00)	0(0.00)	1(8.3)	0(0.00)
Johnson MLA, Hon R	1(12.5)	7(87.5)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Marmion MLA, Hon W	0(0.00)	0(0.00)	0(0.00)	0(0.00)	0(0.00)	1(100.0)
McSweeney MLC, Hon R	0(0.00)	3(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Moore MLC, Hon N	0(0.00)	1(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
O'Brien MLC, Hon S	0(0.00)	10(90.9)	0(0.00)	0(0.00)	0(0.00)	1(9.1)
Porter MLA, Hon C	1(12.5)	6(75.0)	0(0.00)	0(0.00)	1(12.5)	0(0.00)
Waldron MLA, Hon T	0(0.00)	3(100.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Sub-Total:	9(7.69)	86(73.50)	0(0.00)	3(2.56)	6(5.13)	13(11.11)
Group: Universities						
Curtin University of Technology	6(54.5)	4(36.4)	0(0.00)	0(0.00)	1(9.1)	0(0.00)
Edith Cowan University	0(0.00)	2(66.7)	0(0.00)	0(0.00)	1(33.3)	0(0.00)
Murdoch University	2(50.0)	2(50.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
University of Western Australia, The	1(25.0)	3(75.0)	0(0.00)	0(0.00)	0(0.00)	0(0.00)
Sub-Total:	9(40.91)	11(50.00)	0(0.00)	0(0.00)	2(9.09)	0(0.00)
Total	6995	3511	24	18	798	417
Percentage	63.8%	32.0%	0.2%	0.2%	6.8%	3.8%
Grand Total	11763					

Note: This table reflects decisions made by agencies. Those agencies which have not decided any applications in 2009-10 are not listed.

TABLE 18 — NUMBER OF TIMES EXEMPTION CLAUSES WERE USED BY AGENCIES

Agency	CLAUSE NUMBER OF EXEMPTION															
	(Schedule 1 of the Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Group: Boards, Committees, Commissions, Authorities, Corporations																
Acacia Prison	0	0	64	0	0	9	0	0	0	0	0	0	0	0	0	0
Disability Services Commission	0	0	5	0	0	2	1	0	0	0	0	1	0	0	0	0
East Perth Redevelopment Authority	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Fire and Emergency Services Authority of Western Australia	0	0	67	0	0	2	3	0	0	0	0	1	0	0	0	0
Forest Products Commission	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0
Fremantle Port Authority	0	0	0	0	0	0	2	1	0	0	0	0	0	0	0	0
Gascoyne Development Commission	0	0	1	1	0	0	2	0	0	0	0	0	0	0	0	0
Geraldton Port Authority	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0

Note: Excludes applications that were withdrawn

STATISTICAL TABLES continued
NUMBER OF TIMES EXEMPTION CLAUSES WERE USED BY AGENCIES (cont...)

Agency	CLAUSE NUMBER OF EXEMPTION (Schedule 1 of the Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Gold Corporation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Government Employees Superannuation Board	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Great Southern Development Commission	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Heritage Council of Western Australia	0	0	2	1	0	0	0	1	0	0	0	0	0	0	0	0
Insurance Commission of Western Australia	0	0	152	5	0	0	71	43	1	0	0	0	0	0	0	0
Land Authority (LandCorp), Western Australian	0	0	3	0	0	0	0	0	1	0	0	0	0	0	0	0
Legal Aid Western Australia	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Legal Practice Board of WA, The	0	0	2	0	0	1	2	3	2	0	0	0	0	0	0	0
Legal Profession Complaints Committee	0	0	3	0	0	0	0	2	1	0	0	0	0	0	0	0
Lotteries Commission	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0
Medical Board of Western Australia	0	0	2	1	0	2	2	1	1	0	0	0	0	0	0	0
Mid West Development Commission	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Psychologists Registration Board of WA	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Advocate, Office of the	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Sector Commission	4	6	0	0	0	0	2	3	1	0	0	0	0	0	0	2
Public Sector Standards Commissioner, Office of the	0	0	1	0	0	0	0	1	0	0	0	6	0	0	0	0
Public Transport Authority	0	0	3	2	0	0	0	0	0	0	0	0	0	0	0	0
Real Estate and Business Agents Supervisory Board	0	0	2	1	0	1	0	0	1	0	0	0	0	0	0	0
Rottneest Island Authority	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
South West Development Commission	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Synergy	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Tourism Commission, Western Australian	1	0	2	0	0	0	1	0	1	0	1	0	0	0	0	0
Verve Energy	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Water Corporation	0	0	5	2	0	0	0	3	0	0	0	0	0	0	0	0
Western Power	0	0	5	0	0	0	0	1	0	0	0	0	0	0	0	0
Workcover Western Australia Authority (Workcover WA)	0	0	11	0	0	1	0	0	0	0	0	0	0	0	0	0
Sub-Total:	6	6	340	22	0	18	87	59	11	0	2	8	0	0	0	4
Group: Departments (except Police and Health agencies)																
Agriculture and Food, Department of	1	0	14	3	0	3	3	4	2	0	0	0	0	0	0	0
Attorney General, Department of the	2	0	3	0	0	0	4	3	1	0	0	1	0	0	0	0
Challenger Institute of Technology	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Child Protection, Department for	0	0	67	1	0	12	1	0	0	0	0	0	0	0	0	0
Commerce, Department of	0	0	222	3	0	7	7	25	3	0	0	0	0	0	0	0
Communities, Department for	1	0	6	1	0	0	0	0	0	0	0	1	0	0	0	0
Corrective Services, Department of	0	0	148	0	0	8	0	0	0	0	0	6	1	0	0	0
Education, Department of	0	0	20	1	0	0	2	1	0	0	0	0	0	0	0	0
Environment and Conservation, Department of	0	0	72	0	0	1	2	0	0	0	0	0	1	0	0	0
Environmental Protection Authority, Office of the	0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0

Agency	CLAUSE NUMBER OF EXEMPTION (Schedule 1 of the Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Fisheries, Department of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Housing, Department of	0	0	59	0	0	0	1	0	0	0	0	0	0	0	0	0
Indigenous Affairs, Department of	4	1	9	1	0	0	6	9	5	0	0	0	0	0	0	0
Local Government, Department of	0	0	7	0	0	1	3	2	0	0	0	0	0	0	0	0
Main Roads Western Australia	1	0	14	5	0	0	12	8	2	0	8	0	1	0	0	0
Mines and Petroleum, Department of	1	0	67	11	0	9	1	4	0	0	0	0	0	0	0	0
Planning, Department of	0	0	71	4	0	0	10	4	0	0	0	0	0	0	0	0
Premier and Cabinet, Department of the	13	3	45	12	0	7	1	6	6	0	0	0	1	0	0	0
Racing and Wagering Western Australia	0	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0
Racing, Gaming and Liquor, Department of	3	0	15	6	0	2	0	2	1	0	0	0	1	0	0	0
Regional Development and Lands, Department of	0	0	6	1	0	0	0	3	0	0	0	0	0	0	1	0
Sport and Recreation, Department of	3	0	5	4	0	0	2	0	0	0	0	0	0	0	0	0
State Development, Department of	2	1	7	1	0	0	1	2	1	0	0	0	0	0	0	0
Training and Workforce Development, Department	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0
Transport, Department of	0	0	29	1	0	0	1	1	0	0	0	0	0	0	0	0
Treasury and Finance, Department of	19	0	21	8	0	1	17	2	4	2	2	0	0	0	0	0
Water, Department of	0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub-Total:	50	5	926	65	0	51	74	77	25	2	10	8	5	0	1	0
Group: Health related agencies																
C&AHS - Princess Margaret Hospital for Children	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Health, Department of	3	0	13	2	0	0	4	1	2	0	0	1	0	0	0	0
Health Review, Office of	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0
NMAHS - Graylands Selby-Lemnos and Special	0	0	28	0	0	0	0	0	9	0	0	1	0	0	0	0
NMAHS - Osborne Park Hospital	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
NMAHS - Sir Charles Gairdner Hospital	0	2	39	0	0	0	0	0	3	0	0	0	0	0	0	0
NMAHS - Swan Kalamunda Health Service	0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0
NMAHS - Women and Newborn Health Service	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
PathWest Laboratory Medicine WA	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0
SMAH - Armadale-Kelmscott Memorial Hospital	0	0	15	0	0	0	0	0	0	0	0	0	0	0	0	0
SMAH - Fremantle Hospital	0	0	3	0	0	0	1	0	0	0	0	0	0	0	0	0
SMAH - Rockingham-Kwinana District Hospital	0	0	11	0	0	0	0	0	1	0	0	0	0	0	0	0
SMAH - Royal Perth Hospital	0	0	3	0	0	0	0	0	19	0	0	0	0	0	0	0
WACHS - Great Southern	0	0	9	0	0	0	0	1	0	0	0	0	0	0	0	0
WACHS - South West	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Sub-Total:	3	2	143	3	0	2	6	2	35	0	0	2	1	0	0	0
Group: Local government agencies																
Albany, City of	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
Armadale, City of	0	0	6	0	0	1	0	2	1	0	0	0	0	0	0	0
Bassendean, Town of	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0
Bayswater, City of	0	0	8	0	0	2	0	0	0	0	0	0	0	0	0	0
Belmont, City of	0	0	7	3	0	0	2	1	2	0	0	0	0	0	0	0
Bridgetown-Greenbushes, Shire of	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Broome, Shire of	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0

STATISTICAL TABLES continued
NUMBER OF TIMES EXEMPTION CLAUSES WERE USED BY AGENCIES (cont...)

Agency	CLAUSE NUMBER OF EXEMPTION (Schedule 1 of the Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Bunbury, City of	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0
Busselton, Shire of	0	0	1	0	0	0	1	1	0	0	0	0	0	0	0	0
Cambridge, Town of	0	0	4	1	0	1	0	0	0	0	0	0	0	0	0	0
Canning, City of	0	0	8	3	0	0	1	3	1	0	0	0	0	0	0	0
Claremont, Town of	0	0	4	2	0	0	0	1	0	0	0	0	0	0	0	0
Cockburn, City of	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
East Fremantle, Town of	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Fremantle, City of	0	0	11	1	0	1	0	1	0	0	0	0	0	0	0	0
Geraldton-Greenough, City of	0	0	2	1	0	1	0	1	1	0	0	0	0	0	0	0
Gingin, Shire of	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Gosnells, City of	0	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0
Joondalup, City of	0	0	27	1	0	1	2	0	0	0	0	0	0	0	0	0
Kalamunda, Shire of	0	0	14	0	0	1	0	1	0	0	0	0	0	0	0	0
Kalgoorlie-Boulder, City of	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Kellerberrin, Shire of	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0
Kwinana, Town of	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Mandurah, City of	0	0	10	1	0	2	0	0	0	0	0	0	0	0	0	0
Melville, City of	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
Mundaring, Shire of	0	0	15	0	0	0	0	1	0	0	0	0	0	0	0	0
Murray, Shire of	0	0	3	0	0	1	1	1	0	0	0	0	0	0	0	0
Nedlands, City of	0	0	162	3	0	0	0	1	74	0	0	0	0	0	0	0
Peppermint Grove, Shire of	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Perth, City of	0	0	13	5	0	0	0	1	1	0	0	0	0	0	0	0
Rockingham, City of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Serpentine/Jarrahdale Shire	0	0	4	2	0	0	1	2	0	0	0	0	0	0	0	0
South Perth, City of	0	0	5	1	0	0	0	1	0	0	0	0	0	0	0	0
Stirling, City of	0	1	48	0	0	4	0	6	1	0	0	0	0	0	0	0
Subiaco, City of	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Swan, City of	0	0	28	7	0	0	4	8	3	0	0	2	0	0	0	0
Victoria Park, Town of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Vincent, Town of	0	0	4	0	0	0	0	0	1	0	0	1	0	0	0	0
Wanneroo, City of	0	0	9	4	0	3	0	0	0	0	0	0	0	0	0	0
Waroona, Shire of	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
York, Shire of	0	0	1	0	0	0	0	2	0	0	0	0	0	0	0	0
Sub-Total:	0	1	427	43	0	19	12	37	86	0	0	5	0	0	0	0

Agency	CLAUSE NUMBER OF EXEMPTION (Schedule 1 of the Act)															
	1	2	3	4	4A	5	6	7	8	9	10	11	12	13	14	15
Group: Police																
Police, Western Australia	0	0	1597	0	0	13	0	2	2	0	1	4	0	0	0	1
Sub-Total:	0	0	1597	0	0	13	0	2	2	0	1	4	0	0	0	1
Group: Ministers																
Buswell MLA, Hon T	5	0	16	0	0	0	0	0	0	0	0	0	1	0	0	0
Castrilli MLA, Hon J	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Collier MLC, Hon P	3	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0
Constable MLA, Hon E	0	0	9	3	0	0	0	1	0	0	0	0	0	0	0	0
Day MLA, Hon J	0	0	5	0	0	0	3	0	1	0	0	0	0	0	0	0
Faragher MLC, Hon D	0	0	3	1	0	0	2	1	0	0	0	0	0	0	0	0
Grylls MLA, Hon B	2	0	6	2	0	0	1	1	0	0	0	0	0	0	0	0
Hames MLA, Hon K	3	0	0	1	0	0	3	0	0	0	0	0	1	0	0	0
Marmion MLA, Hon W	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
McSweeney MLC, Hon R	2	0	3	1	0	0	0	0	0	0	0	0	0	0	0	0
Moore MLC, Hon N	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
O'Brien MLC, Hon S	2	0	0	0	0	0	7	1	0	0	0	0	0	0	0	0
Porter MLA, Hon C	2	0	7	0	0	0	3	2	1	0	0	1	0	0	0	0
Waldron MLA, Hon T	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub-Total:	19	0	54	8	0	1	22	6	2	0	0	1	2	0	0	0
Group: Universities																
Curtin University of Technology	0	0	1	0	0	0	0	1	0	0	0	2	0	0	0	0
Edith Cowan University	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
Murdoch University	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0
University of Western Australia, The	0	0	3	0	0	0	0	1	0	0	0	0	0	0	0	0
Sub-Total:	0	0	8	1	0	0	0	2	0	0	0	2	0	0	0	0
Total	78	14	3495	142	0	104	201	185	161	2	13	30	8	0	1	5

Note: Agencies which did not cite exemptions are omitted.

TABLE 19: OUTCOME OF REQUESTS FOR INTERNAL REVIEW

Agency	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Boards, Committees, Commissions, Authorities, Corporations					
Fire and Emergency Services Authority of Western Australia	1	1	0	0	0
Forest Products Commission	1	1	0	0	0
Fremantle Port Authority	1	1	0	0	0
Gold Corporation	1	1	0	0	0
Insurance Commission of Western Australia	2	2	0	0	0
Land Authority (LandCorp), Western Australian	1	1	0	0	0
Legal Aid Western Australia	1	1	0	0	0
Legal Practice Board of WA, The	1	1	0	0	0

TABLE 19: OUTCOME OF REQUESTS FOR INTERNAL REVIEW (cont...)

Agency	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Legal Profession Complaints Committee	2	2	0	0	0
Medical Board of Western Australia	1	1	0	0	0
Public Advocate, Office of the	1	0	1	0	0
Public Sector Standards Commissioner, Office of the	1	1	0	0	0
Real Estate and Business Agents Supervisory Board	1	0	1	0	0
Rottneest Island Authority	1	1	0	0	0
Water Corporation	2	1	1	0	0
Workcover Western Australia Authority (Workcover WA)	5	4	1	0	0
Sub-Total:	23	19	4	0	0
Group: Departments (except Police and Health agencies)					
Agriculture and Food, Department of	3	3	0	0	0
Attorney General, Department of the	10	9	0	0	0
Challenger Institute of Technology	1	1	0	0	0
Child Protection, Department for	4	1	1	0	0
Commerce, Department of	11	10	1	0	0
Communities, Department for	1	0	1	0	0
Corrective Services, Department of	4	2	1	0	0
Education, Department of	2	2	0	0	0
Environment and Conservation, Department of	6	5	1	0	0
Housing, Department of	1	1	0	0	0
Indigenous Affairs, Department of	1	0	1	0	0
Local Government, Department of	2	2	0	0	0
Main Roads Western Australia	2	2	0	0	0
Mines and Petroleum, Department of	6	2	4	0	0
Planning, Department of	12	12	0	0	0
Premier and Cabinet, Department of the	10	4	3	1	2
Racing, Gaming and Liquor, Department of	2	0	1	1	0
Regional Development and Lands, Department of	1	1	0	0	0
Sport and Recreation, Department of	1	1	0	0	0
State Development, Department of	1	0	0	1	0
Training and Workforce Development, Department of	1	1	0	0	0
Transport, Department of	6	6	0	0	0
Treasury and Finance, Department of	4	1	3	0	0
Water, Department of	1	1	0	0	0
Sub-Total:	93	67	17	3	2

Agency	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Group: Health related agencies					
Health Review, Office of	1	1	0	0	0
Health, Department of	2	2	0	0	0
NMAHS - Graylands Selby-Lemnos and Special Care Health Services	9	6	3	0	0
NMAHS - Sir Charles Gairdner Hospital	1	1	0	0	0
NMAHS - Women and Newborn Health Service	1	1	0	0	0
PathWest Laboratory Medicine WA	1	0	1	0	0
SMAH - Armadale-Kelmscott Memorial Hospital	2	2	0	0	0
SMAH - Bentley Hospital	2	2	0	0	0
SMAH - Fremantle Hospital	2	1	1	0	0
SMAH - Royal Perth Hospital	2	2	0	0	0
WACHS - South West	1	1	0	0	0
Sub-Total:	24	19	5	0	0
Group: Local government agencies					
Armadale, City of	3	2	1	0	0
Bayswater, City of	2	1	1	0	0
Belmont, City of	2	2	0	0	0
Bunbury, City of	1	0	0	0	0
Cambridge, Town of	1	0	1	0	0
Canning, City of	3	2	1	0	0
Carnarvon, Shire of	1	0	1	0	0
Claremont, Town of	2	1	1	0	0
East Fremantle, Town of	1	0	0	0	0
Fremantle, City of	4	3	1	0	0
Geraldton-Greenough, City of	2	1	0	1	0
Gingin, Shire of	1	1	0	0	0
Joondalup, City of	2	2	0	0	0
Kalamunda, Shire of	3	2	1	0	0
Kellerberrin, Shire of	1	1	0	0	0
Mandurah, City of	1	1	0	0	0
Murray, Shire of	2	2	0	0	0
Peppermint Grove, Shire of	1	1	0	0	0
Perth, City of	2	0	1	0	0
Port Hedland, Town of	4	4	0	0	0

TABLE 19: OUTCOME OF REQUESTS FOR INTERNAL REVIEW (cont...)

Agency	OUTCOME				
	Requests Received	Decision Confirmed	Decision Varied	Decision Reversed	Withdrawn
Serpentine/Jarrahdale Shire	2	2	0	0	0
Stirling, City of	3	1	2	0	0
Subiaco, City of	1	1	0	0	0
Swan, City of	1	1	0	0	0
Sub-Total:	46	31	11	1	0
Group: Police					
Police, Western Australia	21	19	2	0	0
Sub-Total:	21	19	2	0	0
Group: Universities					
Curtin University of Technology	1	1	0	0	0
Sub-Total:	1	1	0	0	0
Total	208	156	39	4	2

TABLE 20 — REQUESTS FOR AMENDMENT OF PERSONAL INFORMATION

Agency	Received	Amended	Not Amended	Amended (but not as Requested)	Withdrawn
C&AHS - Princess Margaret Hospital for Children	1	1	0	0	0
Canning, City of	1	0	1	0	0
Gosnells, City of	1	0	0	1	0
NMAHS - Graylands Selby-Lemnos and Special Care Health Services	1	0	0	1	0
Public Advocate, Office of the	1	0	0	1	0
SMAH - Royal Perth Hospital	1	1	0	0	0
WACHS - South West	1	0	0	0	0
Western Power	5	5	0	0	0
Workcover Western Australia Authority (Workcover WA)	1	1	0	0	0
Total	13	8	1	3	0

TABLE 21: INTERNAL REVIEW RE: AMENDMENT OF PERSONAL INFORMATION

Agency	Applications	Confirmed	Varied	Reversed	Withdrawn
NMAHS - Sir Charles Gairdner Hospital	1	0	0	0	0
Gosnells, City of	1	1	0	0	0
Public Advocate, Office of the	1	1	0	0	0
Total	3	2	0	0	0

TABLE 22 — FEES AND CHARGES CALCULATED BY AGENCIES

Agency	Application Fees Collected	AMOUNT OF CHARGES	
		Collected	Reduced or Waived
Group: Boards, Committees, Commissions, Authorities, Corporations			
Acacia Prison	90		
Armadale Redevelopment Authority	30		
Broome Port Authority			270
Disability Services Commission	90		
East Perth Redevelopment Authority	60		
Fire and Emergency Services Authority of Western Australia	2430	456	600
Fremantle Port Authority	90		
Gascoyne Development Commission	60		
Geraldton Port Authority	60	60	
Goldfields Esperance Development Commission	30		
Government Employees Superannuation Board	30		
Great Southern Development Commission	30		
Heritage Council of Western Australia	120	51	175
Horizon Power	30		
Insurance Commission of Western Australia	4950		
Land Authority (LandCorp), Western Australian	270		
Landgate	120		36
Legal Practice Board of WA, The	30	30	30
Legal Profession Complaints Committee	120	4	
Lotteries Commission			30
Medical Board of Western Australia	150	178	11
Mid West Development Commission	60		300
Port Hedland Port Authority	60		
Public Advocate, Office of the	30		
Public Sector Commission	90		
Public Sector Standards Commissioner, Office of the	150		
Public Transport Authority	510		
Real Estate and Business Agents Supervisory Board	210		
Rottne Island Authority	60		
Settlement Agents Supervisory Board	30		
Small Business Development Corporation	30		
South West Development Commission	60	173	173
Synergy	60		
Tourism Commission, Western Australian	240		
Verve Energy	60		
Water Corporation	930	430	
Western Power	510	482	

STATISTICAL TABLES continued
FEES AND CHARGES CALCULATED BY AGENCIES (cont...)

Agency	Application Fees Collected	AMOUNT OF CHARGES	
		Collected	Reduced or Waived
Wheatbelt Development Commission	60		
Workcover Western Australia Authority (Workcover WA)	120		
Sub-Total:	12060	1863	1625
Group: Departments (except Police and Health agencies)			
Agriculture and Food, Department of	510		
Attorney General, Department of the	395		
Challenger Institute of Technology	60		
Child Protection, Department for	660		
Commerce, Department of	7980	6330	
Communities, Department for	120		
Corrective Services, Department of	510	217	
Education, Department of	1200		
Environment and Conservation, Department of	6870	593	
Environmental Protection Authority, Office of the	270		
Fisheries, Department of	120		
Housing, Department of	660	69	94
Indigenous Affairs, Department of	300	33	1409
Local Government, Department of	300		1
Main Roads Western Australia	1320		
Mines and Petroleum, Department of	9750	4289	748
Planning, Department of	4650		
Premier and Cabinet, Department of the	2190		
Public Trust Office	30	108	
Racing and Wagering Western Australia	30		
Racing, Gaming and Liquor, Department of	450		90
Regional Development and Lands, Department of	210	245	804
Sport and Recreation, Department of	180		
State Development, Department of	270	175	
Training and Workforce Development, Department of	90		
Transport, Department of	1530		
Treasury and Finance, Department of	1410		
Water, Department of	2160		
Sub-Total:	44225	12058	3147
Group: Local government agencies			
Albany, City of	330	68	3
Armadale, City of	270	191	191
Augusta-Margaret River, Shire of	60		
Bassendean, Town of	60		
Bayswater, City of	660	242	

STATISTICAL TABLES continued

Agency	Application Fees Collected	AMOUNT OF CHARGES	
		Collected	Reduced or Waived
Belmont, City of	360	1411	30
Bridgetown-Greenbushes, Shire of	60		
Broome, Shire of	120	70	60
Broomehill-Tambellup, Shire of	30		
Bunbury, City of	330	109	215
Busselton, Shire of	300	643	30
Cambridge, Town of	300	34	
Canning, City of	450	869	
Capel, Shire of	60	232	
Carnarvon, Shire of	90		
Chittering, Shire of	120	232	
Claremont, Town of	120	197	60
Cockburn, City of	420	514	300
Coorow, Shire of	30	46	
Dandaragan, Shire of	30	480	
Dardanup, Shire of	30	200	
Derby-West Kimberley, Shire of	30		
East Fremantle, Town of	60		
East Pilbara, Shire of	90		
Esperance, Shire of	30		
Fremantle, City of	570		503
Geraldton-Greenough, City of	250		
Gingin, Shire of	90	200	
Gosnells, City of	390	30	30
Harvey, Shire of	120		
Irwin, Shire of	30	245	
Joondalup, City of	870		
Kalamunda, Shire of	480	171	1089
Kalgoorlie-Boulder, City of	300		
Kellerberrin, Shire of	30		
Kwinana, Town of	150	126	24
Mandurah, City of	510	248	3
Melville, City of	210		
Mosman Park, Town of	30	30	
Mundaring, Shire of	420		
Murray, Shire of	480		

STATISTICAL TABLES continued
FEES AND CHARGES CALCULATED BY AGENCIES (cont...)

Agency	Application Fees Collected	AMOUNT OF CHARGES	
		Collected	Reduced or Waived
Nedlands, City of	420	1461	
Peppermint Grove, Shire of	30		
Perenjori, Shire of	30		
Perth, City of	390	515	214
Port Hedland, Town of		154	99
Rockingham, City of	240		
Serpentine/Jarrahdale Shire	180	148	
South Perth, City of	210	98	
Stirling, City of	2100		
Subiaco, City of	210	374	
Swan, City of	960	3382	
Victoria Park, Town of	120		
Vincent, Town of	210		
Wanneroo, City of	420		
Waroona, Shire of	99		
York, Shire of	60		
Sub-Total:	15049	12719	2851
Group: Ministers			
Buswell MLA, Hon T	870		
Castrilli MLA, Hon J	120		
Collier MLC, Hon P	270		
Constable MLA, Hon E	270		
Day MLA, Hon J	270		
Faragher MLC, Hon D	120		
Grylls MLA, Hon B	270		
Jacobs MLA, Hon G	90		
Marmion MLA, Hon W		30	
McSweeney MLC, Hon R	60		
Moore MLC, Hon N	30		
Porter MLA, Hon C	330		
Waldron MLA, Hon T	60		
Sub-Total:	2760	30	0
Group: Police			
Police, Western Australia	57910	44020	
Sub-Total:	57910	44020	0

Agency	Application Fees Collected	AMOUNT OF CHARGES	
		Collected	Reduced or Waived
Group: Universities			
Curtin University of Technology	90	105	
Murdoch University	120	225	
University of Western Australia, The	60		
	Sub-Total:	270	330
TOTAL		\$144,003	\$77,795
			\$7,622

Note: Agencies which did not collect application fees or impose charges are omitted.

TABLE 23 — REASONS FOR REDUCTION OF CHARGES

Reasons for Reduction	No.	(%)
Impecunious	9	3.16%
Pensioner	4	1.40%
Other	272	95.44%
Total	285	100.00%

FURTHER INFORMATION

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