

## RTI & IP Consultation Paper

### USQ Feedback

	<b>Question</b>	<b>Feedback</b>
Q7	Has anything changed since 2013 to suggest there is no longer support for one single point of access under the RTI Act for both personal and non-personal information?	No. RTI Act and the IP Act each set out the same grounds for refusing access, the same processes (for example, how access can be given) and matters such as the powers of the information commissioner at external review.
Q8	Noting the 2013 response, should the requirement to provide a schedule of documents be maintained?	Yes. A Schedule of Documents should be provided as it contains information that assists the applicant when reviewing documents relating to a decision. However, preparation of a schedule may, on occasion, be time consuming and will vary depending on the number of documents discovered.
Q12	Given the 2013 responses, should the public interest balancing test be simplified; and if so how? Should duplicated factors be removed or is there another way of simplifying the test?	Yes. The PIBT can be difficult to explain to applicants. Overlap factors should be removed where possible however the explanation provided in the consultation paper clarifies the intended differences between the favouring non-disclosure and the harm factors. If an explanation is incorporated with the parts or in guidance then it would be reasonable to keep both parts where it is difficult to know which to remove.

Q17	Should the disclosure log requirements that apply to departments and Ministers be extended to agencies such as local councils and universities?	<p>No. The current requirements applicable to agencies such as local councils and universities to publish information on their disclosure logs are considered to be adequate and do not require alignment with the requirements imposed on Departments/Ministers.</p>
Q20	<p>Should internal review remain optional?</p> <p>Should the OIC be able to require an agency to conduct an internal review after it receives an application for external review?</p>	<p>Yes, strongly agree. Maintain status quo i.e. retain 'Optional' Internal Reviews.</p> <p>No. Aggrieved applicants should have the flexibility to 'opt out' of an internal review process without experiencing additional delays and seek an external review made by an independent body i.e. ability to apply directly to OIC without the need to engage further with the agency.</p>
Q24	What would be the advantages and disadvantages of aligning the IPPs and/or the NPPs with the APPs, or adopting the APPs in Queensland?	<p>Advantage Aligning the IPPs with the APPs would benefit a university. There are perceived obligations to comply with both sets of privacy principles and there are potential contractual obligations between a university and entities that are required to comply with the APPs. Consistency across all levels of government.</p> <p>Disadvantage In the transition period there may be a significant resource allocation required to review an entities policy and procedures, other documents and training material to ensure the information is consistent with the changes.</p>

Q25	Should the definition of 'personal information' in the IP Act be the same as the definition in the Commonwealth Act?	Yes. Consistency is preferable. The intent of both definitions appears compatible with using the same definition.
Q32	Should IPP 4 be amended to provide, in line with other IPPs, that an agency must take reasonable steps to ensure information is protected against loss and misuse?	Yes. An agency must take reasonable steps to ensure information is protected against loss and misuse, which are commensurate with the impact of loss or misuse of the information.