

Right to Information (Government-related Entities) Amendment Bill 2011

Clause and Explanatory Notes

Introduction

Short title of the Bill

The short title of the Bill is the ***Right to Information (Government-related Entities) Amendment Bill 2011***

Objective of the Bill

The objective of the Bill is to amend the Right to Information Act 2009 for particular purposes.

Reasons for the Bill

In June 2008 the FOI Independent Review Panel chaired by Dr David Solomon AM delivered the Solomon Report reviewing Queensland's Freedom of Information legislation. The Panel recommended that "All bodies that are established or funded by the government or are carrying out functions on behalf of government, should be covered by FOI" (Recommendation 20 p.89) and that "The definition of "public authority" in the Act should be extended to include bodies established for a public purpose" (Recommendation 24 p.90)

The FOI Independent Review Panel further recommended "Where a private organization contracts to perform functions that were once performed and/or are considered generally to be the responsibility of government to deliver to the public, FOI should be extended to cover the documents of that organization in relation to any such function. " (Recommendation 26 p.97)

Achievement of the Bill

The Bill seeks to extend the definition of a public authority for the purposes of the *Right to Information Act 2009*.

Fundamental legislative principals

The Bill was drafted using fundamental legislative principles.

Right to Information (Government-related Entities) Amendment Bill 2011

Clause 1- This clause states that the Act when cited may be referred to as the ***Right to information (Government- related Entities) Amendment Bill 2011.***

Clause 2- This Act amends the Right to Information Act 2009

Clause 3- This amendment to Section 16 of the Act extends the meaning of a public authority to include any corporation supported directly or indirectly by government funds or other assistance or over which the State, a Minister or a department is in a position to exercise control. A definition of 'control' is also inserted as a consequence of the extended meaning of a public authority.