The Territory Government’s Information Bill is to be introduced to Parliament this week following an extensive consultation and public information process.

Minister for Justice and Attorney-General Dr Peter Toyne said the Information Bill was a cornerstone of the Martin Government's election platform and will give Territorians statutory rights to access government information – rights as good as or better than those which other Australians enjoy.

"I am pleased that the Northern Territory Parliament will finally be considering Freedom of Information legislation, twenty years after it was first introduced in Australia," Dr Toyne said.

"This Bill is modelled on best practice and is a key part of the Martin Government’s commitment to open and accountable government for Territorians."

The Bill was tabled in Parliament on 23 October 2001 and opened to public comment for four months. 500 hard copies of the bill were distributed as well as copies downloaded from the Government web site. 55 formal submissions were received, that helped shape the final detail of the legislation.

Minister for Justice and Attorney-General Dr Toyne said there are four key elements to the Information Bill:

- rights of access to government and personal information
- privacy principles to protect personal information
- the appointment of an independent statutory Information Commissioner to oversee the use of the Act
- legislative guidelines for keeping and managing government records and information

"The Territory’s Information Bill has moved ahead of other jurisdictions. It is framed to meet the challenges of electronic information management and it coherently combines both access to information and privacy provision into one piece of legislation – no other legislation in Australia does that," Dr Toyne said.

"The submissions made to Government on the draft Bill have been taken on-board, particularly in areas such as retrospectivity and exemption certificates."

"Following public comments the issuing of Exemption Certificates has been significantly tightened, transferring the power away from CEO level to now only being issued by the Chief Minister," said Dr Toyne.

The power to issue Exemption Certificates over deliberative documents has also been removed.

"In the area of retrospectivity the Information Bill has been extended following public comment, to permit access to government information that was created up to 10 years before the commencement of the Bill."
Within two years of implementation of the law, access to government information could extend back to self-government if the applicant can show that the information has public interest implications. Access to personal information will go back to self-government.

"But FOI is not the only element of the Information Bill. It also introduces important privacy protection over personal information held by Government agencies."

"Privacy provisions will cover issues such as: the collection of personal information; use and disclosure of personal information; information security; information quality; information access and correction; and trans-border information flows," Dr Toyne said.

"To adhere to the new legislation Government agencies will be implementing new record keeping practices and informing all public sector staff of requirements under the Information Bill."

"To oversee the new privacy and access to information regime, an independent Information Commissioner will be appointed," said Dr Toyne.

"The Information Commissioner will be responsible for promoting good information privacy and access to information practices. This includes monitoring how the public sector responds to requests for access to information, and how it protects the privacy of personal information."

The Information Commissioner can hear complaints regarding access to information or an alleged breach of privacy, and also has the power to revoke or vary a decision about access to information or make an order in the case of a privacy breach.

"Provision for an independent Information Commissioner has been made in the 2002-2003 budget with an allocation of $220,000 to establish an Office of the Information Commissioner," said Dr Toyne.

The Department of Corporate and Information Services will also allocate $150,000 to implement the record keeping components of the Bill.

The Information Bill will be debated in the October sittings of Parliament. The Bill will come into force as soon as extensive education throughout the public sector on legislative guidelines for keeping and managing government records and information have been conducted.