

FREEDOM OF INFORMATION REQUESTS — CLASSIFIED INFORMATION

824. Hon COLIN TINCKNELL to the Leader of the House representing the Premier:

- (1) With regard to freedom of information requests, in what general instances do agencies determine that information should remain classified and not be released to an FOI applicant?
- (2) Who makes the decision on the information that is to remain classified?
- (3) Of the 43 per cent of FOI applications that receive edited information, what percentage of applicants are satisfied with the level of information provided?
- (4) I note the \$30 application fee charged to obtain information under FOI. How much revenue did this equate to in the last financial year?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) The Department of the Premier and Cabinet treats each FOI application on its merits. Any exemption is strictly based on the applicable exemptions as outlined in the glossary, schedule 1 to the Freedom of Information Act 1992. There are 15 listed exemptions, and I seek leave to have these incorporated into *Hansard*.

Leave granted.

The following material was incorporated —

1. Cabinet and Executive Council, deliberations etc. of
 2. Inter-governmental relations, matter that could damage etc.
 3. Personal information
 4. Trade secrets, commercial and business information
 - 4A. Information given to Treasurer etc. under Bank of Western Australia Act 1995.
 5. Law enforcement, public safety and property security, matter prejudicial etc. to
 6. Deliberative processes of Government etc., matter revealing
 7. Legal professional privilege, matter subject to
 8. Confidential communications
 9. State's economy, matter adversely affecting management of etc.
 10. State's financial or property affairs, matter adversely affecting etc.
 11. Effective operation of agencies, matter impairing etc.
 12. Contempt of Parliament or court, matter that would be
 13. Adoption or artificial conception information
 14. Information protected by certain statutory provisions
 15. Precious metal transactions, information as to
-
- (2) Section 100 of the FOI act clearly outlines who can make decisions regarding information that is to remain exempt. It states —
 - 100. Who in agency makes its decisions**
 - (1) Decisions made under this Act by an agency are to be made by —
 - (a) the principal officer of the agency; or
 - (b) an officer of the agency directed by the principal officer for that purpose, either generally or in a particular case.
 - (2) Subsection (1)(b) does not apply if the agency is a Minister.
 - (3) As was the case in the previous government, this information is not recorded.
 - (4) This information will be publicly available in the Information Commissioner's 2017–18 annual report, under agency statistics.