

NORTHERN TERRITORY OF AUSTRALIA

PUBLIC INFORMATION LEGISLATION AMENDMENT ACT 2019

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Act No. 14 of 2019

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**Table of provisions**

<b>Part 1</b>	<b>Preliminary matters</b>	
1	Short title .....	1
2	Commencement .....	1
<b>Part 2</b>	<b>Amendment of Public Information Act</b>	
3	Act amended .....	1
4	Section 6 amended (Review of public information).....	2
<b>Part 3</b>	<b>Amendment of Public Information Regulations</b>	
5	Regulations amended.....	4
6	Regulations 3 and 4 replaced .....	4
	3 Purpose of public information to be in public interest	
<b>Part 4</b>	<b>Repeal of Act</b>	
7	Repeal of Act.....	5





# NORTHERN TERRITORY OF AUSTRALIA

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Act No. 14 of 2019

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An Act to amend the *Public Information Act* and the  
*Public Information Regulations*

[Assented to 9 April 2019]  
[Introduced 29 November 2018]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Public Information Legislation Amendment Act 2019*.

### 2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

## Part 2 Amendment of Public Information Act

### 3 Act amended

This Part amends the *Public Information Act*.

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**4 Section 6 amended (Review of public information)**

## (1) Section 6(2)

*omit*

the content of the information

*insert*

one or more of the following applies to the information

## (2) Section 6(2)(a) to (d)

*omit, insert*

- (a) the information promotes particular party political interests;
- (b) the information includes statements that are misleading;
- (c) the information is an advertisement that includes an image of a minister or a minister's message;
- (d) for public information that is not an advertisement – the information includes an image of a minister or a minister's message other than:
  - (i) the Chief Minister; or
  - (ii) the relevant minister;
- (e) the information includes facts (including comparisons), statistics or data that are not presented accurately;
- (f) the information fails to specify the source, or a means for identifying a source, of any facts (including comparisons), statistics or data.

*Note for subsection (2)(f)*

*Means for identifying the source may include providing a contact person or a website that can provide references for the source of any fact, statistic or data included in the public information.*

## (3) Section 6(2A)

*omit*

all words from "does" to "information"

*insert*

is not for the purpose of the public interest

- (4) Section 6(5) and (6)

*omit*

The

*insert*

Despite subsection (2)(c) and (d), the

- (5) Section 6(5) and (6)

*omit*

Minister, or a Minister's

*insert*

minister, or a minister's

- (6) After section 6(6)

*insert*

- (7) In this section:

**advertisement** means an advertisement published by the purchase of media placement under a commercial arrangement, including the purchase of media placement:

- (a) in traditional forms of paid advertising; or
- (b) on social media platforms; or
- (c) in other digital communication channels; or
- (d) on signage associated with Government funded construction projects.

*Example for definition advertisement, paragraph (a)*

*Advertising through television, cinema, radio, newspaper, journal or other publications.*

**relevant minister** means the minister to whom responsibility for the area of government related to the public information is allotted under the Administrative Arrangement Order.

## **Part 3                    Amendment of Public Information Regulations**

### **5                    Regulations amended**

This Part amends the *Public Information Regulations*.

### **6                    Regulations 3 and 4 replaced**

Regulations 3 and 4

*repeal, insert*

### **3                    Purpose of public information to be in public interest**

For section 6(2A) of the Act, the Auditor-General may consider the information is in the public interest if the information has a purpose that includes one of the following:

- (a) maximises compliance with the laws of the Territory;
- (b) achieves awareness of a new or amended law;
- (c) improves public safety or personal security;
- (d) encourages responsible behaviour;
- (e) preserves order in the event of an emergency;
- (f) promotes awareness of rights, responsibilities, duties or entitlements;
- (g) encourages usage of, or familiarity with, government products or services;
- (h) informs the public of new, existing or proposed government programs, policies or projects;
- (i) reports on performance in relation to government undertakings;
- (j) communicates functions of government;
- (k) communicates on matters of social cohesion, civic pride, community spirit or tolerance.

*Examples for paragraph (j)*

*Education campaigns, recruitment, community engagement, expressions of interest and future plans.*

**Part 4 Repeal of Act**

**7 Repeal of Act**

This Act is repealed on the day after it commences.