

Serial 83
Information Amendment (Fees) Bill 2009
Mr Bohlin

A Bill for an Act to amend the *Information Act*

NORTHERN TERRITORY OF AUSTRALIA

INFORMATION AMENDMENT (FEES) ACT 2009

Act No. [] of 2009

Table of provisions

1	Short title	1
2	Act amended	1
3	Amendment of section 156 (Fees for applications and complaints)	1
4	New section 156A.....	2
	156A No fees for certain applications by MLA	



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2009

An Act to amend the *Information Act*

[Assented to [] 2009]
[Second reading [] 2009]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Information Amendment (Fees) Act 2009*.

2 Act amended

This Act amends the *Information Act*.

3 Amendment of section 156 (Fees for applications and complaints)

After section 156(6)

insert

(6A) In addition, a public sector organisation or the Commissioner may waive or reduce a fee payable under this section relating to an application under Part 3, Division 2 in the following circumstances:

- (a) the applicant is the holder of a pensioner concession card or other entitlement card issued by the Commonwealth;
- (b) the applicant is an individual or non-profit organisation and payment of the fee would cause the individual or organisation financial hardship;

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- (c) it is not economical to charge the fee;
 - (d) providing access to information sought by the application is in the public interest or in the interest of a substantial section of the public;
 - (e) the public sector organisation is taken to have refused access to information sought (whether in whole or in part) under section 19 and access to the refused information is provided to the applicant following:
 - (i) a review under Part 3, Division 4; or
 - (ii) a complaint under Part 7.
- (6B) Subsection (6A)(b) does not affect subsection (6)(b).

4 New section 156A

After section 156

insert

156A No fees for certain applications by MLA

- (1) This section applies to an application made to a public sector organisation under Part 3, Division 2 by a member of the Legislative Assembly.
- (2) Subject to subsection (3), the public sector organisation cannot charge the application or processing fee under section 156(1) that would apply to the application.
- (3) If the processing fee (including any costs of providing an edited copy of information) amounts to more than 3 000 revenue units, the public sector organisation may charge the application and processing fees under section 156(1).