

Serial 53
Information Amendment Bill 2006
Dr Toyne

**A BILL
for
AN ACT**

to amend the *Information Act*

NORTHERN TERRITORY OF AUSTRALIA
INFORMATION AMENDMENT ACT 2006

Act No. [] of 2006

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Act amended
4. Amendment of section 4 (Definitions)
5. Repeal and substitution of section 9
 9. Relationship with other laws
6. Repeal and substitution of section 48
 48. Secrecy provisions
7. New section 49A
 - 49A. Information obtained or created because of investigation
8. Amendment of section 54 (Health, safety, environment and place of significance)
9. Amendment of section 65 (What are IPPs?)
10. New Schedule 1
 - SCHEDULE 1
11. Amendment of Schedule



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2006

AN ACT

to amend the *Information Act*

[Assented to [] 2006]

[Second reading [] 2006]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Information Amendment Act 2006*.

2. Commencement

This Act commences on 1 July 2006.

3. Act amended

This Act amends the *Information Act*.

4. Amendment of section 4 (Definitions)

Section 4, definition of "IPP"

omit

the Schedule

substitute

Schedule 2

5. Repeal and substitution of section 9

Section 9

repeal, substitute

9. Relationship with other laws

This Act prevails to the extent to which it is inconsistent with another law of the Territory (whether made before or after the commencement of this section).

6. Repeal and substitution of section 48

Section 48

repeal, substitute

48. Secrecy provisions

Information is exempt under section 44 for an applicant if its disclosure to the applicant would be an offence against a provision specified in Schedule 1.

Note

Each provision in Schedule 1 creates an offence against disclosure of specified information in specified circumstances.

7. New section 49A

After section 49, in Part 4, Division 2

insert

49A. Information obtained or created because of investigation

Information is exempt under section 44 if it is obtained or created in the course of an action that is:

- (a) in the nature of an investigation, audit or inquiry; and
- (b) taken by any of the following:
 - (i) the Ombudsman;
 - (ii) the Health and Community Services Complaints Commissioner;
 - (iii) the Auditor-General;
 - (iv) a Board or Commissioner appointed under the *Inquiries Act*;

Information Amendment Act 2006

- (v) a Commissioner within the meaning of the *Local Government Act*.

8. Amendment of section 54 (Health, safety, environment and place of significance)

- (1) Section 54(a) and (b), at the end

insert

or

- (2) After section 54(c)

insert

- (ca) harm, or prejudice measures to protect, a place of scientific, cultural or historical significance (including anything situated in the place);
or

9. Amendment of section 65 (What are IPPs?)

Section 65(1)

omit

the Schedule

substitute

Schedule 2

10. New Schedule 1

Before the Schedule

insert

SCHEDULE 1

Section 48

SECURITY PROVISIONS

Act	Provision
<i>Adoption of Children Act</i>	section 71(1)
<i>Child Protection (Offender Reporting and Registration) Act</i>	section 66(1)
<i>Community Welfare Act</i>	section 97A

Information Amendment Act 2006

<i>Coroners Act</i>	section 43(2)
<i>Criminal Property Forfeiture Act</i>	section 31(1)
<i>Criminal Records (Spent Convictions) Act</i>	section 12(1) and (2)
<i>Debits Tax Act</i>	section 10 to the extent to which it applies section 7(2) of the <i>Debits Tax Administration Act 1982</i> (Cth)
<i>Electoral Act</i>	section 293(2)
<i>First Home Owner Grant Act</i>	section 43(2)
<i>Human Tissue Transplant Act</i>	section 28(1)
<i>Mineral Royalty Act</i>	section 50(1)
<i>Misuse of Drugs Act</i>	section 24(2)
<i>Northern Territory Aboriginal Sacred Sites Act</i>	section 38(1)
<i>Pay-roll Tax Act</i>	section 5(2)
<i>Sexual Offences (Evidence and Procedure) Act</i>	section 11(1) and (2)
<i>Taxation (Administration) Act</i>	section 7(1)
<i>Witness Protection (Northern Territory) Act</i>	section 33(1) and (3)

11. Amendment of Schedule

Schedule, heading

omit, substitute

SCHEDULE 2

Section 65(1)

INFORMATION PRIVACY PRINCIPLES
