

Serial 77
Public Information Legislation Amendment Bill 2018
Mr Gunner

A Bill for an Act to amend the *Public Information Act* and the
Public Information Regulations

NORTHERN TERRITORY OF AUSTRALIA

PUBLIC INFORMATION LEGISLATION AMENDMENT ACT 2018

Act No. [] of 2018

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2018

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

[Assented to [] 2018]
[Introduced [] 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 2018*.

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*.

4 Section 6 amended (Review of public information)

(1) Section 6(2)

omit

content of the information

insert

information is one or more of the following

(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.

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) maximise compliance with the laws of the Territory;
- (b) achieve awareness of a new or amended law;
- (c) improve public safety or personal security;
- (d) encourage responsible behaviour;
- (e) preserve order in the event of an emergency;
- (f) promote awareness of rights, responsibilities, duties or entitlements;
- (g) encourages usage of, or familiarity with, government products or services;
- (h) inform the public of new, existing or proposed government programs, policies or projects;
- (i) report on performance in relation to government undertakings;
- (j) communicate functions of government;
- (k) communicate 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.