



**MACQUARIE
POINT**
DEVELOPMENT CORPORATION

Macquarie Point Development Information Disclosure Policy

Responsible officer	Senior Executive Officer
Approved by	Chief Executive Officer
Approval date	July 2023
Review date	July 2026

Contents

1. Objective	2
2. Scope	2
3. Legislation	2
4. Policy Statement.....	Error! Bookmark not defined.
5. Process	Error! Bookmark not defined.
6. Related Documents.....	3
7. Version control	6

1. Intent

This policy is to establish the circumstances under which the Macquarie Point Development Corporation holds information, for and on behalf of Tasmania, to perform its functions and those of its Ministers. The Corporation is an authority as defined in the *Right to Information Act 2009* (RTI Act) and is committed to fulfilling its obligations under that Act, including the requirement to prepare and publish policies and procedures for the disclosure of information.

2. Objective

The objective of this policy is to specify the Corporation's processes for releasing information in accordance with the RTI Act, with reference to the various types of disclosure defined in that Act.

3. Scope

This policy applies to Macquarie Point Development Corporation staff and Directors.

This policy covers the four types of information disclosure defined in s12(2) of the RTI Act:

1. Required Disclosure
2. Routine Disclosure
3. Active Disclosure
4. Assessed Disclosure

4. Legislation

<i>Macquarie Point Development Corporation Act 2012</i>
<i>Right to Information Act 2009</i>
<i>Right to Information Regulations 2010</i>
<i>Personal Information Protection Act 2004</i>
<i>State Service Act 2000</i>
<i>Archives Act 1983</i>
<i>Ombudsman's RTI Manual and Guidelines</i>
<i>Tasmanian Government Web Publishing Framework</i>
<i>Whole of Government Media Protocols</i>

5. Definitions

active disclosure	the voluntary release of information on receipt of a request
assessed disclosure	the release of information following a decision by the Principal Officer or delegated officer in accordance with the RTI Act, in response to an application made in accordance with s13 of that Act
delegated officer	Corporation officers delegated under s24 of the RTI Act to make decisions as required by that Act

Corporation	Macquarie Point Development Corporation
Disclosure Log	table on the Corporation's website listing published information - category of applicant; summary of request; link to pdf of information
exempt information	information exempt from release in accordance with Part 3 of the RTI Act
information	information in the Corporation's possession that relates to the official business of the Corporation but excluding information held for the sole purpose of collation or forwarding to a body other than another public authority
personal information	information or opinion in any recorded format about an individual who is alive or has not been dead for more than 25 years, whose identity is apparent or is reasonably ascertainable from the information or opinion.
Principal Officer	Chief Executive Officer
public authority	defined in s3 of the RTI Act
publish	place information on the Corporation's website, making it available for public access
required disclosure	the release of information that is required to be published by the RTI Act or any other Act, or where disclosure is otherwise required by law or enforceable under an agreement
routine disclosure	the release of information that a public authority decides may be of interest to the public
RTI Act	Right to Information Act 2009

6. Principles

- The RTI Act gives a person a legally enforceable right to be provided with information unless the information is exempt information.
- Information held by the Corporation is held, in accordance with the RTI Act, on behalf of the people of Tasmania and is the property of the State.
- The Corporation is committed to fulfilling its obligations under the RTI Act, particularly with making information readily available to a broad audience.
- All officers are responsible and accountable for appropriate record-keeping.

7. Roles and Responsibilities

1. Required Disclosure

The Corporation is required by a variety of legislation to disclose certain information, for example, annual reports in accordance with the State Service Act 2000.

The Chief Executive Officer (CEO) allocates responsibility for compliance with the administration of specific legislation to Corporation officers. Those officers are responsible for the disclosure of information in accordance with relevant legislative requirements. Such disclosures will be made in a manner approved by the Secretary.

2. Routine Disclosure

Information released routinely will generally be available on the Corporation’s website and at no cost.

Where the information cannot be accessed on-line, it will be made available by other reasonable means, which may incur a fee.

On-line content must be approved by the relevant branch manager, in consultation with Strategic Communications Manager.

Corporation officers are to regularly review the information they hold and identify what information may be routinely disclosed. Disclosure must be lawful, that is, must have regard to any legislation or other legal obligation preventing or limiting disclosure.

Information should be considered for routine disclosure when it is:

- Significant, relevant and meaningful to the community.
- Of a type that key stakeholders and the community would reasonably expect to be able to access.
- Requested on a regular basis.
- Of a type that would help the public to deal with the Corporation.
- Of a type that would help the public to contribute to the Corporation’s work or decision-making.
- Of a type that would increase the transparency of the Corporation’s operations.
- Of a type that would promote greater accountability of the Corporation for its decisions.
- Easily provided at no or low cost.

The officer responsible for the decision to routinely disclose information has an ongoing responsibility to ensure the disclosed information remains accurate and up-to-date, and that information is amended or removed as required.

Routinely disclosed information will include, at a minimum:

Category	Timeframe	Format
Organisational structure and functions	Within 10 working days of any changes	<ul style="list-style-type: none"> • Up-to-date organisation chart • About Corporation structure
Annual Reports	Yearly	<ul style="list-style-type: none"> • To be made available on the website once tabled in Parliament
Quarterly Report	Quarterly	<ul style="list-style-type: none"> • To be made available on the website once approved by the Minister
Gifts, benefits and hospitality - received by the Corporation	Quarterly	<ul style="list-style-type: none"> • An extract of the Corporation’s gifts register on internet

Category	Timeframe	Format
Contracts awarded greater than \$50,000	Yearly	<ul style="list-style-type: none"> Updated at the start of the new financial year. Information is also released on the tenders.tas.gov.au website
Total expenditure relation to telecommunication s and mobile devices	Yearly	<ul style="list-style-type: none"> Total expenditure for the financial year, as reported in Annual Report

3. Active Disclosure

The Tasmanian Government Communications Policy provides general guidance about communications.

Many direct requests for information can simply be responded to by the Corporation officer who receives the request. However, more complex requests may need to be dealt with in writing, with management or senior management clearance for the disclosure of information.

Requests for information from the media are to be referred to the Strategic Communications team to agree on the process for response.

Requests for information from Members of Parliament must be dealt with through the Minister's office.

Considerations that may indicate information should not be actively disclosed include, but are not limited to:

- Whether the information includes personal, commercial, or confidential information, or information of third parties.
- Whether the information may be subject to copyright or ownership issues.
- Whether the information is part of an ongoing investigation, or legal action.

If in doubt about whether information should be disclosed, seek advice from Chief Executive Officer or contact Alison Land or Tiahna Tomac in the Secretariat and Legal Services team, Department of State Growth.

If a decision is made to refuse to actively disclose information, the Corporation officer responding to the request should direct the person to the Right to Information section of the Corporation's website, or to the Principal Officer (Right to Information), for information about making an application for assessed disclosure.

4. Assessed Disclosure

Assessed disclosure is the form of disclosure of last resort.

A person making a request for assessed disclosure must make the application in writing, including addressing the requirement to pay the legislated fee. The Corporation's application form and information about making an application are available on the Department's website.

<https://www.macpoint.com/rti-requests>

Decisions regarding assessed disclosure must be made in accordance with the provisions of the RTI Act. The Principal Officer or delegate are responsible for such decisions.

Refer to the Corporation's RTI Process document for a description of the relevant procedure.

The Corporation may decide to publish information that has been provided to an applicant in response to a request for assessed disclosure. This is a separate, administrative decision to the disclosure decision made in accordance with the Act and is not subject to the same legal requirements. There is no option for appealing a decision to publish (or not publish).

Decisions to publish will be made on public interest grounds, and to support the Corporation's commitment to make information available to a broad audience. Assessed disclosure decisions and associated statements of reasons, personal information, and commercially sensitive information will not be published.

8. Related Documents

- *Macquarie Point Development Corporation Act 2012*
- Macquarie Point Development Corporation RTI Process (DOC/23/.....)

9. Version control

Current

Date	Version	HPECM	Author	Details
July 2023	1	DOC/23/6516	COO	First Draft