

ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP

07/20993

26 SEP 2007

Professor David Weisbrot
President
Australian Law Reform Commission
GPO Box 3708
SYDNEY NSW 2001

Dear Professor Weisbrot

As you know, I have decided to ask the Australian Law Reform Commission to conduct an inquiry into the *Freedom of Information Act 1982*.

I attach the terms of reference for the inquiry. I draw your attention to the reporting deadline of 31 December 2008.

I look forward to receiving the report in due course.

Yours sincerely

Philip Ruddock

REVIEW OF THE FREEDOM OF INFORMATION ACT 1982

I, Philip Ruddock, Attorney-General of Australia, having regard to:

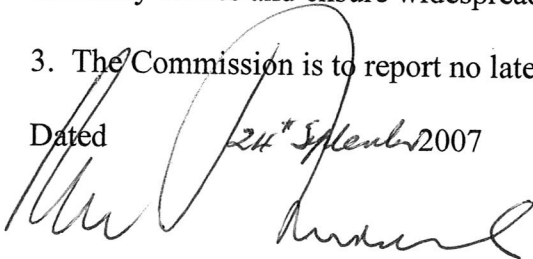
- the rapid advances in information, communication, storage and other relevant technologies;
- State, Territory and overseas legislation in relevant areas; and
- the need to balance the public interest in making information available and the public interest in protecting certain information;

refer to the Australian Law Reform Commission for inquiry and report pursuant to subsection 20(1) of the *Australian Law Reform Commission Act 1996*, matters relating to the extent to which the *Freedom of Information Act 1982* and related laws continue to provide an effective framework for access to information in Australia.

1. In performing its functions in relation to this reference, the Commission will consider:
 - (a) relevant existing and proposed Commonwealth, State and Territory laws and practices;
 - (b) any need to harmonise those laws and practices;
 - (c) administrative acts or practices within agencies and their impact on access to Government information ;
 - (d) other recent reviews of the *Freedom of Information Act 1982*;
 - (e) information access regimes in other comparable jurisdictions;
 - (f) any relevant constitutional issues, particularly those that may affect harmonisation of information access laws;
 - (g) the impact of an evolving technological environment on production, storage and access to information;
 - (h) the desirability of minimising the regulatory burden on government agencies;
 - (i) the legitimate interests of governments and their ability to obtain forthright advice from agencies and also of third parties who deal with government; and
 - (j) any other related matter.
2. The Commission will identify and consult with relevant stakeholders, relevant State and Territory bodies and ensure widespread public consultation.
3. The Commission is to report no later than 31 December 2008.

Dated

24th September 2007



Philip Ruddock
Attorney-General