

PART 15 — REPORTING

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Information Commissioner's reporting obligations

15.1 The Information Commissioner is required under s 30 of the *Australian Information Commissioner Act 2010* (AIC Act) to report annually on the OAIIC's operations, including on the freedom of information matters set out in s 31 of the AIC Act. Those matters include information about guidelines issued by the Commissioner, applications for IC review, complaints received by the OAIIC, and assistance provided to agencies to enable them to comply with the FOI Act (AIC Act ss 31(1)(a), (f), (h) and (i)).

15.2 The report must also include information about FOI administration in agencies as listed in [15.3] below (AIC Act ss 31(1)(b), (c), (d) and (e) and 31(2)) and the number of applications each year for AAT review of FOI decisions (AIC Act s 31(1)(g)).

Agencies' and ministers' obligations to provide FOI information and statistics

15.3 Section 93 of the FOI Act requires agencies and ministers to provide information and statistics to the Information Commissioner to enable the Commissioner to prepare the report required under s 30 of the AIC Act. Each agency and minister must provide the following information:

- the number of FOI requests made under s 15 of the FOI Act (AIC Act s 31(1)(b))
- the number of decisions granting, partially granting or refusing access (AIC Act s 31(2))
- the number and outcome of requests to amend personal records under s 48 of the FOI Act (AIC Act s 31(1)(c))
- charges collected for processing FOI requests (AIC Act s 31(1)(d))
- the number and outcome of applications for internal review under s 54 of the FOI Act (AIC Act s 31(1)(e)).

15.4 The Information Commissioner also has monitoring and reporting functions in relation to the administration of the Information Publication Scheme (FOI Act Part II) — see Part 13 of these Guidelines for further information.

15.5 An agency or minister must also comply with any additional requirements in any regulations made under the FOI Act regarding the provision of information or the maintenance of records for the purposes of providing information and statistics to the Information Commissioner (FOI Act s 93(3)).

15.6 Section 8 of the Freedom of Information (Prescribed Authorities, Principal Offices and Annual Report) Regulations 2017 (the Regulation) provides specific deadlines for information to be given to the Information Commissioner where these Guidelines refer to information being given on a quarterly and annual basis.

15.7 In order to be able to effectively meet the requirements of s 30 of the AIC Act the Information Commissioner requires each agency and minister to provide a statistical return to the Commissioner at the end of each quarter and a separate return at the end of the financial year. The required information for each quarterly return and for the annual return is to be entered directly into the Information Commissioner's secure web portal at:

<https://foistats.oaic.gov.au/>.

15.8 The OAIC has provided detailed information on what statistics are required and how to provide the required information in an agency resource titled: 'FOIstats guide; Quarterly and annual FOI Act statistical returns to the OAIC' available at: <https://www.oaic.gov.au/freedom-of-information/foi-resources/foi-agency-resources/foistats-guide>.

15.9 The deadlines, provided for in the above Regulation, for quarterly statistical returns about FOI requests and outcomes and other FOI Act related activity are:

- For quarter 1 (1 July to 30 September): **By 21 October**
- For quarter 2 (1 October to 31 December): **By 21 January**
- For quarter 3 (1 January to 31 March): **By 21 April**
- For quarter 4 (1 April to 30 June): **By 21 July**

15.10 The deadline for the annual return about staff resources and other costs and comparisons with previous years in relation to FOI Act activity is:

- For each financial year ending on 30 June: **By 31 July**