

## **RIGHT TO INFORMATION**

### **What is the Right to Information?**

The *Right to Information Act 2009* commenced on 1 July 2010 and provides for access to information held by government bodies by:

- authorising and encouraging greater routine disclosure of information held by public authorities without the need for requests or applications;
- authorising and encouraging greater active disclosure of information held by public authorities in response to informal requests without the need for applications;
- giving members of the public a right to information held by public authorities provided that access is not restricted in the limited circumstances which are defined in the *Right to Information Act 2009*.

### **Information Access**

Southern Waste Solutions (SWS) collects and holds information from a variety of sources to enable us to deliver our services. Information is routinely made available by SWS to assist the public in understanding what it is we do and how we do it. SWS also publishes reports and information required under legislation. It is SWS' practice for information such as this to be released via our website. Because we operate in a competitive commercial environment some information held by us is commercial in confidence and will not generally be published.

Informal requests may be made for information by contacting us as outlined below. Generally, if these requests are for simple factual material and data and there is no potential for this information to be exempt under the *Right to Information Act 2009* then these requests can be dealt with without the need to make a formal application.

Some information is not released in this way, because it is not of general public interest or because it is information that SWS would need to assess against the exemptions in the *Right to Information Act 2009* prior to disclosure. Such applications are referred to as "Assessed Disclosure". In such cases a form will need to be completed - the need for this will be determined at the time of your enquiry.

### **Applications for assessed disclosure**

A form to assist in making an application for assessed disclosure is available from our office on request.

Applications for SWS are to be addressed to:

**Right to Information Officer, Southern Waste Solutions, P O Box 216, New Town 7008**

Or email [finance@swstas.com.au](mailto:finance@swstas.com.au)

### **What will we do once we have your application?**

- Your application will be checked to make sure we have the information we need and that you have paid the application fee.

- If SWS is not best placed to provide you with the information your application may be transferred to another public authority.
- Before your application is accepted, we may need to contact you to ask you about your application so we can clearly understand your request.
- Your application will then be assessed against the *Right to Information Act 2009* and we will let you know the outcome of that process in writing.
- You will be notified of the decision on your application for assessed disclosure as soon as practicable, but normally this should occur within 20 working days of the application being accepted.
- If your request is complex or for a large amount of information we may ask you to give us more time.
- If there is a need to consult with a third party about their business affairs or about their personal information, more time is automatically allowed for and we will let you know the outcome as soon as practicable, but no later than 40 working days - we will let you know if this is happening.
- If the application or part of the application is refused, then the reasons for the refusal to provide the information will be provided. You will have a right to seek a review of the decision. This is done by visiting [www.ombudsman.tas.gov.au/right-to-information](http://www.ombudsman.tas.gov.au/right-to-information) to obtain an application form for completion and / or by writing to: [ombudsman@ombudsman.tas.gov.au](mailto:ombudsman@ombudsman.tas.gov.au) or  
**Ombudsman Tasmania, GPO Box 960, Hobart TAS 7001**

If the officer assessing your request does not get back to you in the timeframe allowed, then we are taken to have refused your application and you are able to make an application for review to the Ombudsman. Some information on reviews by the Ombudsman can be found on the Office of the Ombudsman's website at [www.ombudsman.tas.gov.au/](http://www.ombudsman.tas.gov.au/)

### **Right to Information Manual and Guidelines**

The Manual and Guidelines will provide you with a little more detail on making requests under the *Right to Information Act 2009* and how they are processed by a public authority. These are available on the Office of the Ombudsman's website at [www.ombudsman.tas.gov.au/](http://www.ombudsman.tas.gov.au/)

### **Related Acts and Regulations**

You can view, download and print the following Acts and Regulations made available by the Tasmanian Legislation Online website.

[Right to Information Act 2009](#)

[Right to Information Regulations 2010](#)

[Personal Information Protection Act 2004](#)