

# RIGHT TO INFORMATION GUIDELINE



Procedure Owner: CEO  
Reviewed and Approved: 10 September 2024

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## WHAT IS THE RIGHT TO INFORMATION?

The *Right to Information Act 2009* (the Act) 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 Act.

## 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 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 for information may be made 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 Act, 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 public interest or because it is information that SWS would need to assess against the exemptions in the Act 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.

## ASSESSED DISCLOSURE

### Applications

A form to assist in making an application for assessed disclosure is available from our office on request. Applications are to be addressed to the Right to Information Officer:

By email: [info@swstas.com.au](mailto:info@swstas.com.au); or

By post: Southern Waste Solutions, PO Box 216, New Town 7008 TAS

### Assessment

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 you requested, your application may be transferred to another public authority. Before your application is accepted, we may contact you to ask about your application so we can clearly understand your request.

Your application will then be assessed against the Act and we will let you know the outcome of that process in writing.

### **Timeline**

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.

### **External Review**

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 by the Ombudsman Tasmania.

To obtain an application form for a review, visit [www.ombudsman.tas.gov.au/right-to-information](http://www.ombudsman.tas.gov.au/right-to-information) or call on 1800 001 170. A completed application form is to be sent to:

By email: [RTI@ombudsman.tas.gov.au](mailto:RTI@ombudsman.tas.gov.au); or

By post: 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.

### **FURTHER INFORMATION**

The Manual and Guidelines, published by the Ombudsman Tasmania, provide you with more detail on making requests under the Act and how they are processed by a public authority. These are available on their website at [www.ombudsman.tas.gov.au/](http://www.ombudsman.tas.gov.au/)

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](#)