

ADMINISTRATIVE ACCESS SCHEME

The Administrative Access Scheme allows public access to information through a streamlined process. It is an easier and quicker process than the formal Right to Information (RTI) or Information Privacy (IP) application process. Where possible, Isaac Regional Council will release information under its Administrative Access Scheme.

Anyone can apply for information however there is no guarantee that access will be given. In most cases the Administrative Access Scheme is used by applicants who require access to their own personal information.

There is no ability to seek a review of an access decision made under this scheme however, applicants that are dissatisfied with such decisions may make a complaint through the Isaac Regional Council complaint process.

ADMINISTRATIVE ACCESS SCHEME FEES AND CHARGES

There is no application fee associated with making a request however, Isaac Regional Council reserves the right to impose fees to reproduce or provide access to the information.

INFORMATION WHICH MAY BE ACCESSED

Any information, as long as it is not exempt, may be accessed under the scheme. In some cases Isaac Regional Council may blank out some information before providing it to protect people's privacy or to protect confidential information.

EXEMPT INFORMATION

Information that is exempt under this scheme includes:

- Information that is prohibited from release under law
- Information that would be a breach of the privacy principles
- Information that compromises government or private interests
- Information that would constitute a breach of statutory provisions
- Information that would constitute a breach of contractual terms
- Information that is exempt under the RTI and IP Acts
- Information that would be a breach of copyright laws or intellectual property

ADMINISTRATIVE ACCESS APPLICATIONS

Applications can be made in writing, by email, in person or over the phone. Requests must include the applicant's full name, signature, contact details and provide details about the information that is being requested. All written requests must be signed and email requests must include a scanned attachment containing the applicant's signature.

Isaac Regional Council is committed to protecting the privacy of its client's information and only releases information where it is authorised to do so. To ensure that only authorised people receive information Isaac Regional Council will ask you a series of questions to verify your identity (verbal requests).

Isaac Regional Council may refuse to deal with an application that does not meet these requirements or is unreasonable (e.g. very large amounts of information or asks for information previously provided).

PUBLIC INFORMATION

Public information is all information originating from the field of work of the public sector bodies and occurring in the form of a document, a case, a dossier, a register, a record or other documentary material.

Access to public information Act states three conditions, necessary to define public information:

1. Information must originate from the field of work of the public sector body
2. The information must be in the body's possession
3. The information must be contained in a certain materialized form

Obviously, the information must be related to the body's work. Personal email received by a public employee onto his work e-mail address is not such information. The same must be said for various daily commercial brochures, received by the public body, personal note and address books, phone messages and other similar types of documents.

Public information can be related to any activity in all fields of work of the body, connected with its official proceedings, originating in his public authority.

The term "possession of information" must within the intention of the law be interpreted widely. Possession means any holding, disposing with, registering, collecting, evidencing, reproducing, producing or altering of information, performed by a public body, for that body, or with that body.

When acquiring information from third parties, due care has to be given to the protection of information copyright. When the body faces the decision to reveal a copyrighted document, such documents may not be copied, though the applicant may still freely consult the information on the spot.

It is also necessary to stress that bodies need not to create or obtain new documents, nor do they need to substitute a document which is no longer in their possession. The body is also exempt from collecting, process or analysing the requested information. Such a rule, however doesn't apply for modern-day computer databases. In these cases, the bodies are obliged to acquire the information stored in such databases, as the information is already there, freely swimming in the database pool. This act does not constitute a creation of a new document.