

Appendix 9

Freedom of information

This statement is provided in accordance with section 8 of the *Freedom of Information Act 1982* (the FOI Act) and is correct as at 30 June 2008.

Section 8 of the FOI Act requires each agency to publish detailed information about the way it is organised, its powers, the kinds of decisions made, arrangements for public involvement in work of the agency, documents held by the agency and how members of the public can access these documents.

Access to records under the FOI Act

Members of the public are entitled to apply for access to documents under the FOI Act. In many cases the FOI Act may not need to be used. If the documents being sought are publicly available they may be accessible through the Department's website at www.dbcde.gov.au, or by telephoning the Manager of Corporate Communications on 02 6271 1362.

Decisions on granting access to documents under the FOI Act are generally made by the Senior Executive Service officer responsible for the work area to which the request relates. Access is usually provided in the form of copies of documents. Alternatively, the Department can provide a reading area for the inspection of documents made available under the FOI Act.

Members of the public seeking access to documents under the FOI Act should make a request in writing to the Department or the relevant portfolio agency and enclose the fee payable under the regulations in respect of the request, currently \$30. These requests should include contact details including a telephone number and an address in Australia to which notifications can be posted. The Department's FOI Officer can help with this process, and can be contacted by telephone on 02 6271 1741 or email at foi@dbcde.gov.au.

FOI requests for the Department should be addressed to:

FOI Officer
Department of Broadband, Communications
and the Digital Economy
GPO Box 2154
CANBERRA ACT 2601

Portfolio agencies, listed at appendix 1, are part of the Broadband, Communications and the Digital Economy portfolio but are not part of the Department's functional and organisational structure. To obtain information or documents from these agencies, please contact them directly. Contact details are provided at appendix 1.

Categories of documents

The Department has extensive documentary holdings, in hard copy and electronic form. Certain categories of documents are common throughout the Department. These include:

- › documents relating to policy development and program administration, including reports, briefings, correspondence, minutes, submissions, statistics and other documents
- › Cabinet submissions and memoranda
- › ministerial briefings
- › records of representations to the portfolio ministers and of other applications for advice and assistance
- › reference material used by staff including guidelines and manuals
- › legal advice and other specialist advice, for example advice on commercial, technical and economic matters.

The subject matter of departmental records includes the following.

Telecommunications

- › Telecommunications and radiocommunications policy, legislation and regulation
- › Connect Australia programs
- › Communications Fund
- › Do Not Call Register
- › Postal policy, legislation and regulation including:
 - Universal Postal Union and Asian-Pacific Postal Union
 - Maintaining international linkages and institutional frameworks through the International Telecommunication Union (ITU), APEC, World Trade Organisation and other relevant multilateral forums
 - Bilateral trade and cooperation including free trade negotiations
- › International communications—bilateral and multilateral arrangements
- › Australian Broadband Guarantee
- › Broadband Connect Infrastructure program
- › Higher Bandwidth Incentive Scheme and Broadband Connect program
- › Metropolitan Broadband Connect program
- › National Broadband Network
- › Australia Post—corporate accountability
- › Networking the Nation General Fund
- › Telstra Social Bonus programs
- › Untimed Local Calls in Extended Zones Agreement

- › Telecommunications Service Inquiry and implementation of Government's response
- › Consumer representation and research grants program
- › Regional Telecommunications Inquiry and Implementation of Government's response
- › Regional Telecommunications Independent Review Committee
- › Regional Telecommunications Inquiry Community Information Campaign
- › Backing Indigenous Ability Telecommunications program

Communications technology

- › Digital economy policy development
- › Digital economy international issues including OECD engagement
- › ICT and climate change
- › Communications convergence issues
- › Information and communications technology strategy
- › ICT innovation policy, including Backing Australia's Ability program and skills
- › NICTA ICT Centre of Excellence
- › IT Training and Technical Support program
- › Regional Telecommunications Infrastructure Fund
- › Mobile Connect program
- › National Communications Fund

Digital economy

- › Broadband Blueprint
- › Clever Networks
- › Next Generation Networks
- › Digital Content Working Group
- › Online and Communications Council
- › Online and Communications Council Standing Committee
- › National Broadband Development Group
- › Measurement Working Group
- › e-connectivity
- › Coordinated Communications Infrastructure Fund
- › Broadband Demand Aggregation Brokers program
- › National Broadband Strategy Implementation Group
- › Broadband Advisory Group
- › IT Skills Hub

- › Digital divide
- › Community connectivity
- › Non-profit sector and ICT issues including: an e-strategy guide for non-profit organisations and the development of a model for a national non-profit ICT coalition
- › Telework and the Australian Telework Advisory Committee
- › Broadband development policy
- › ICT industry skills
- › ICT Skills foresighting working group
- › ICT literacy
- › ICT productivity
- › e-research
- › e-business
- › Information Technology Online program
- › Critical infrastructure protection – cyber security component
- › Online legal and regulatory framework, including spam and Internet domain names, e-security and trust issues including awareness raising, IT security skills,
- › e-security research and development, authentication, phishing and spyware
- › Maintaining international linkages and institutional frameworks through the ITU, APEC, OECD, International Corporation for the Assignment of Domain Names and Numbers and other relevant multilateral forums

Broadcasting and content

- › Broadcasting policy and development of regulation
- › Commercial, national, subscription and community broadcasting services, and subscription and open narrowcasting services
- › Digital television, digital radio, and datacasting
- › The Digital Switchover Plan
- › Online content policy and legislation, including interactive gambling regulation
- › Intellectual Property & Copyright coordination
- › TV Black Spots – Alternative Technical Solutions program
- › Regional Equalisation Plan
- › NetAlert—Protecting Australian Families Online program

Legal

- › Legal advice, instructions to solicitors and counsel concerning matters before courts and tribunals
- › Freedom of information requests
- › Ombudsman complaints
- › Privacy complaints
- › Documents relating to the drafting of legislation and contracts

Corporate and business

- › Human resource management policy and operations
- › Financial and budget management
- › IT and facilities management
- › Procurement services
- › Other corporate support services

Digital Switchover Taskforce

- › Website information—frequently asked questions about digital television

Manuals

In accordance with section 9 of the FOI Act, a list has been compiled of unpublished manuals and other documents used by departmental staff as a guide to procedures and practices to be followed when dealing with the public. The list is correct as at 30 June 2008 and is available on request from the FOI Officer, any office of the National Archives of Australia (NAA), or the NAA website at www.naa.gov.au.

Organisation and functions

Information about the organisation and functions of the Department is contained in the Overview and Management and Accountability sections of this annual report.

Decision-making powers of the Department affecting members of the public

Decision-making powers of the Department and/or the Minister that may affect members of the public are exercised under or in relation to the following Acts or regulations or other instruments made under those Acts:

- › *Appropriation (Supplementary Measures) Act (No.1) 1999*
- › *Australian Broadcasting Corporation Act 1983*
- › *Australian Communications and Media Authority Act 2005*
- › *Australian Postal Corporation Act 1989*

- › *Broadcasting Services Act 1992*
- › *Datacasting Charge (Imposition) Act 1998*
- › *Datacasting Transmitter Licence Fees Act 2006*
- › *Do Not Call Register Act 2006*
- › *Financial Management and Accountability Act 1997*
- › *Interactive Gambling Act 2001*
- › *National Transmission Network Sale Act 1998*
- › *NRS Levy Imposition Act 1998*
- › *Public Service Act 1999*
- › *Radiocommunications Act 1992*
- › *Radiocommunications (Receiver Licence Tax) Act 1983*
- › *Radiocommunications (Spectrum Licence Tax) Act 1997*
- › *Radiocommunications Taxes Collection Act 1983*
- › *Radiocommunications (Transmitter Licence Tax) Act 1983*
- › *Radio Licence Fees Act 1964*
- › *Spam Act 2003*
- › *Special Broadcasting Service Act 1991*
- › *Telecommunications Act 1997*
- › *Telecommunications (Carrier Licence Charges) Act 1997*
- › *Telecommunications (Consumer Protection and Service Standards) Act 1999*
- › *Telecommunications (Numbering Charges) Act 1997*
- › *Telecommunications (Universal Service Levy) Act 1997*
- › *Television Licence Fees Act 1964*
- › *Telstra Corporation Act 1991*
- › *Telstra (Transition to Full Private Ownership) Act 2005*
- › *Trade Practices Act 1974, Parts XIB and XIC*

Arrangements for outside participation and public involvement

The Department is open to the views of outside organisations and provides opportunities for members of the community to contribute to developing aspects of Australia's communications and information technology sectors. Information about issues on which the Department is currently consulting is available on the Department's website at www.dbcde.gov.au.

In June 2008 for example, departmental officers attended 42 separate meetings with different stakeholders aside from attending specialist forums and responding directly to enquiries from the general public.