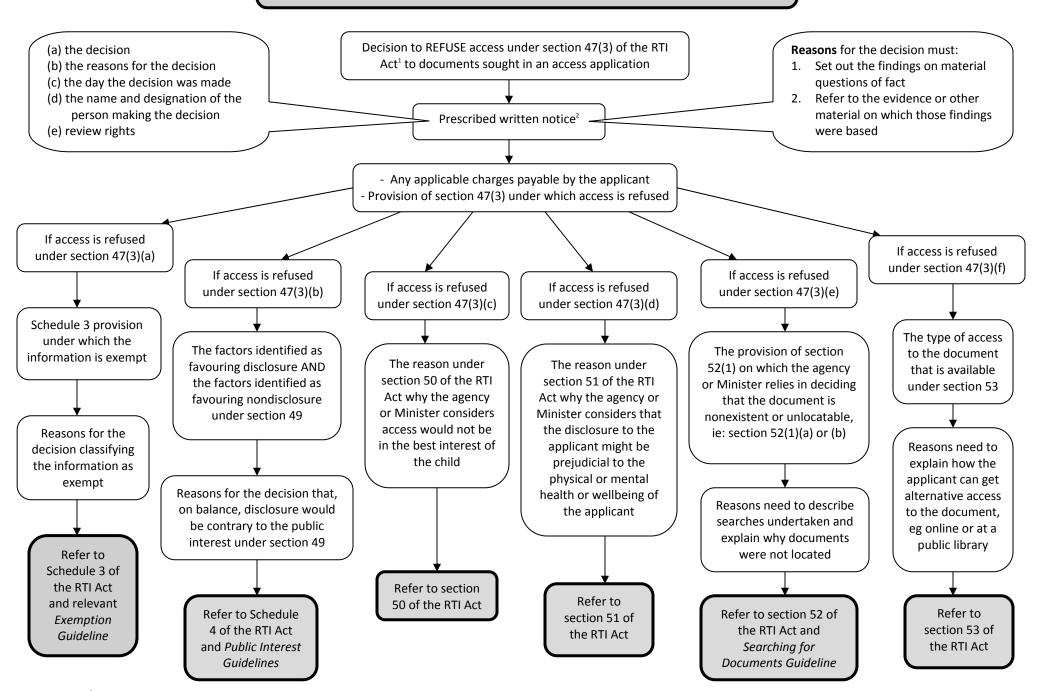
# REFUSING ACCESS TO DOCUMENTS UNDER THE RTI ACT & IP ACT A GUIDE FOR DECISION MAKERS



<sup>1</sup> Section 67(1) of the IP Act provides that grounds for refusal apply in the same way and to the same extent as under section 47 of the RTI Act.

<sup>&</sup>lt;sup>2</sup> For access applications under the IP Act, refer to section 68 of the IP Act for prescribed written notice.

# GIVING FULL ACCESS TO DOCUMENTS UNDER THE RTI ACT & IP ACT A GUIDE FOR DECISION MAKERS

Where the agency or Minister is not refusing access to any information, deleting any irrelevant information from the documents or deferring access to any information

This does not

apply if the

document is

provided with

the prescribed

written notice

Decision to give FULL ACCESS to all documents sought in an access application

### Prescribed written notice<sup>3</sup>

- (a) the decision
- (b) the reasons for the decision
- (c) the day the decision was made
- (d) the name and designation of the person making the decision
- (e) review rights

### Requirements of section 54(2)(a) of the RTI Act<sup>4</sup>

(i) an itemisation of any processing and access charges payable by the applicant

#### AND

(ii) the period within which the applicant may access the document under section 69 (the *access period*)

#### AND

(iii) that, unless the document contains personal information of the applicant, it may be made available to the public not sooner than 24 hours after the applicant accesses the document

#### AND

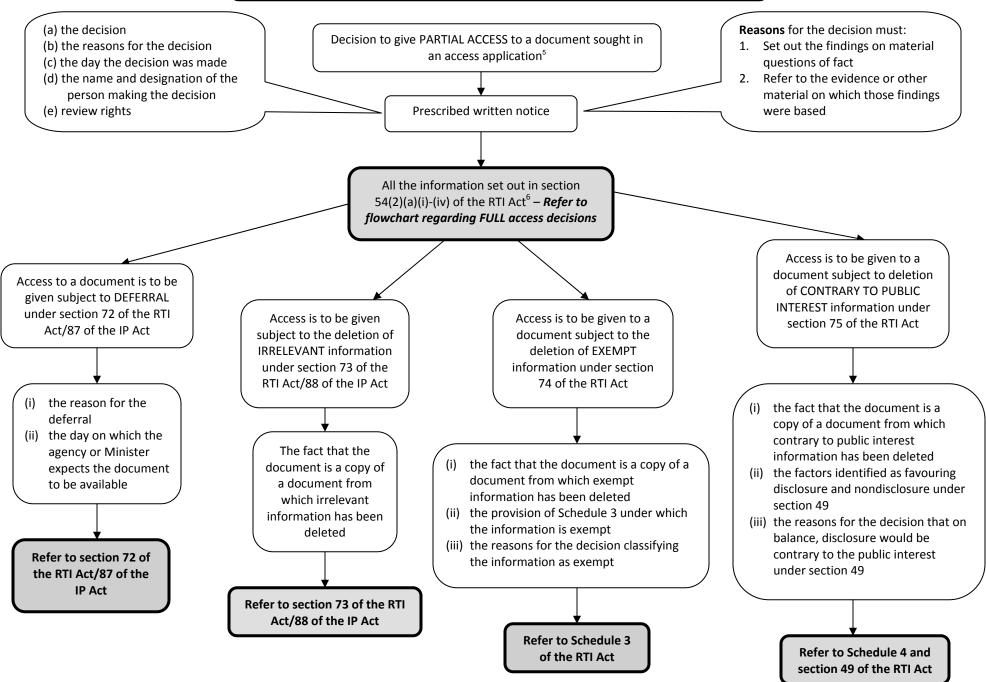
(iv) that, unless the document contains personal information of the applicant, if the applicant fails to access the document within the access period, details identifying the document and information about how the document may be accessed and any applicable charge may be made available to the public not sooner than 24 hours after the end of the access period.

Where full access to all documents sought in an access application is given, it will generally be sufficient in the "reasons" to simply identify that the information is being released under the RTI Act because none of the information is exempt or contrary to public interest

<sup>3</sup> Section 67(1) of the IP Act provides that grounds for refusal apply in the same way and to the same extent as under section 47 of the RTI Act.

<sup>&</sup>lt;sup>4</sup> For access applications under the IP Act, refer to sections 68 and 84 of the IP Act for prescribed written notice and time limit for access.

# GIVING PARTIAL ACCESS TO DOCUMENTS UNDER THE RTI ACT A GUIDE FOR DECISION MAKERS



<sup>&</sup>lt;sup>5</sup>Section 67(1) of the IP Act provides that grounds for refusal apply in the same way and to the same extent as under section 47 of the RTI Act.

<sup>&</sup>lt;sup>6</sup> For access applications under the IP Act, refer to sections 68 and 84 of the IP Act for prescribed written notice and time limit for access.