



# **Freedom of Information By-law 2026**

## **No. 2, 2026**

Prepared by the Unlisted Printer, Sydney

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# A By-law for public access to information held by the association

## Part 1—Preliminary

### 1 Short title

This By-law may be cited as the *Freedom of Information By-law 2026*.

### 2 Commencement

This By-law commences on 1 March 2026.

### 3 Object

The object of this By-law is to provide the community with access to Unlisted information.

### 4 Definitions

In this by-law:

**Administrator-General** means the Administrator-General of the association.

**Board** means the Board of the association.

**Decision Board** means the Unlisted Decisions Board.

**privacy** means privacy with respect to personal information.

**Unlisted information** means information held by the association.

## Part 2—Access to Unlisted information

### 5 General principles of information

- (1) The association is to:
  - (a) make available to the public such Unlisted information as is reasonably possible; and
  - (b) provide Unlisted information to the public promptly.
- (2) The association is not required to provide access to Unlisted information if, on the probabilities, it is not in the public interest to do so.

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## **6 Information about the association**

The association must publish the following information:

- (a) a description of the structure and functions of the association;
- (b) a description of information that may be purchased by the public.

## **7 Application for access to Unlisted information**

- (1) A person may apply to the association for access to Unlisted information held by the association, including the person's personal information.
- (2) An application is to:
  - (a) be in writing; and
  - (b) specify the name of the applicant; and
  - (c) include sufficient details to identify the information; and
  - (d) specify an address to which correspondence regarding the application may be sent to the applicant.

Note: Section 7(2)(b) does not prohibit the use of a pseudonym.

## **8 Response to application**

- (1) Within 30 days after receiving an application in accordance with section 7, the association:
  - (a) consider the application and make a decision about it; and
  - (b) notify the applicant in writing of that decision.
- (2) If the applicant is not notified in accordance with this section within 30 days after making the application, the association is taken to have refused access to the information.
- (3) The association may request the applicant to provide details additional to those specified in the application to enable the association to more particularly identify the information to which access is being sought.
- (4) If the applicant does not provide the additional details within 30 days after they are requested under subsection (3), the association is taken to have refused access.

## **9 Providing access in whole or in part**

- (1) The association may decide to provide access to all or in part of the Unlisted information.
- (2) The association must provide access by:

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- (a) if the association is reasonably able to reproduce the Unlisted information, providing the applicant with a copy; or
  - (b) permitting the applicant to examine the Unlisted information.

### **10 Providing edited copies of information**

- (1) The association must provide access to a copy of the Unlisted information with that part of the Unlisted information that is exempt deleted from the copy (an **edited copy**) if:
  - (a) it is practicable for the association to give the applicant an edited copy; and
  - (b) the edited copy contains Unlisted information of substance.
- (2) The association is not required to provide an edited copy if the part of the Unlisted information that is exempt is the subject of an exemption order made and signed by the Chairman-General under section 15.

### **11 Refusing access to information**

The association may decide to refuse access to Unlisted information because the information is exempt under Part 3.

### **12 Providing access to information not applied for**

The agency may provide access to Unlisted information that is in addition to the information applied by the applicant, unless there is an overriding public interest against disclosure.

### **13 Providing access by creating new records**

The association may provide access by making and providing access to a new record of that Unlisted information.

## **Part 3—Exemptions**

### **14 Refusing access because information is exempt**

The association may decide to refuse access to Unlisted information if:

- (a) the Unlisted information was brought into existence for consideration by the Board;
- (b) release of the Unlisted information is not in the public interest;
- (c) the Unlisted information can be purchased by the public;
- (d) the Unlisted information would endanger the life or physical safety of a person; or

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- (e) the Unlisted information would prejudice the prosecution of an offence;
  - (f) the Unlisted information would unduly impact the privacy of a person; or
  - (g) the Unlisted information has been declared as exempt under section 15.

### **15 Exemption order**

The Chairman-General may, by order, declare that a class of information is exempt for the purposes of this By-law.

### **16 Deletion of information**

The association can delete parts from a copy of the Unlisted information to which access has been granted either because:

- (a) the information is not relevant to the Unlisted information requested, or
- (b) the association has decided to refuse access to that information using reasons from section 14.

## **Part 4—Review**

### **17 Right of internal review**

- (1) A person aggrieved by the decision of the association may request a review of the decision by the association.
- (2) An internal review can be limited to a particular aspect of a decision.

### **18 Conduct of internal review**

- (1) An internal review is to be done by making a new decision, as if the decision being reviewed (the **original decision**) had not been made, with the new decision being made when the application for access to which the reviews relates was original received.
- (2) An internal review is not to be done by the person who made the original decision.

### **19 No internal review of decision on internal review**

A person may not request an internal review of a decision made on the internal review of a reviewable decision.

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## 20 Review by Decisions Board

A person aggrieved by a decision of the association may request a review of the decision by the Decisions Board.

# Part 5—Disclosure log

## 21 Requirement to have a disclosure log

The association must keep a record (called its **disclosure log**) that records information about applications made to the association that the association decides to grant access if the Unlisted information is information that the association considers may be of interest to other members of the public.

## 22 Required information on disclosure log

The information about an application that is required to be recorded in the association's disclosure log is:

- (a) a description of the Unlisted information to which access was provided in response to the application; and
- (b) a statement as to whether any of the Unlisted information is now available from the association to other members of the public and how it can be accessed.