

# Sydney Olympic Park Authority Policy

Policy Name	Government Information (Public Access) (GIPA) Policy
Policy No.	POL12/1
Department File No.	F17/162
Business Unit	Business Support
Officer Responsible	Director Legal and Risk
Approving Officer	ED Business Support
Date of Approval	20 February 2012

Version	Review	Date	Approved By
1	Introduction of GIPA Legislation	January 2012	CEO
2	Amendments to GIPA Legislation	May 2012	CEO
2.1	Reviewed by Privacy Coord	November 2012	GM, Commercial & Corporate
2.2	Reviewed by Privacy Coord	February 2014	GM, Commercial & Corporate
2.3	Reviewed by Privacy Coord	February 2015	GM, Commercial & Corporate
2.4	Reviewed by Privacy and Right to Information Coordinator	January 2016	GM, Commercial & Corporate
2.5	Reviewed by Privacy and Right to Information Coordinator	February 2017	ED Commercial
2.6	Reviewed by Privacy and Right to Information Officer	June 2018	ED Business Support
3.0	Ammended by Right to Information Coordinator	August 2019	

## 1 Definitions

Term	Definition
ARIC	Assistant Right to Information Coordinator (ARIC)
GIPA	Government Information (Public Access) Act 2009
Principal Officer	SOPA Chief Executive Officer (CEO)
RIC	Right to Information Coordinator (RIC)
RIO	Right to Information Officer (RIO)
SOPA	Sydney Olympic Park Authority (SOPA)

## 2 Summary

This document is SOPA's policy with respect to Government Information (Public Access) Act 2009 No 52 and assignment of internal responsibilities under [GIPA](#). This document incorporates approvals granted to date in relation to GIPA processes and delegations.

## 3 Purpose and Scope

This policy applies to all information held by SOPA and details the manner in which SOPA discharges its obligations under GIPA.

## 4 Legislative Requirements

SOPA is deemed to be a public authority for the purposes of GIPA and is therefore subject to its provisions.

## 5 Replacement of Existing Policy

This policy supersedes SOPA's Freedom of Information (FOI) Policy.

## 6 Delegated Authorisation

The Government Information (Public Access) Act 2009 No 52 states;

Section 7 (5) & Section 8 (6) - *"The functions of an agency under this section may only be exercised by or with the authority (given either generally or in a particular case) of the Principal Officer of the Agency."*

Section 9 (3) – *"The function of making a reviewable decision in connection with an access application made to an agency may only be exercised by or with the authority (given either generally or in a particular case) of the Principal Officer of the agency."*

SOPA's Principal Officer is the Chief Executive Officer.

SOPA's Principal Officer has assigned the delegations below to act on SOPA's behalf;

### 6.1 Right to Information Officer

The Right to Information Officer (RIO) is the Director, Legal & Risk.

### 6.2 Right to Information Coordinator

The Right to Information Coordinator (RIC) is the Risk, Compliance & Corporate Governance Coordinator

### 6.3 Assistant Right to Information Coordinator

The Assistant Right to Information Coordinator (ARIC) is the Legal Officer

#### **6.4 Internal reviews**

The Right to Information Officer will identify possible candidates from the Executive to conduct an internal review of an application when required.

This candidate;

- Must not have been involved in the original decision or
- Must not have been involved with the information that has been requested by the applicant.

#### **6.5 Succession Plan**

The below details back-filling of roles in the absence of one or more appointment under GIPA

- a) In the absence of the RIO the RIC is authorised to fill the role of RIO.
- b) In the absence of the RIC the ARIC is authorised to fill the role of RIC
- c) Where the RIC and ARIC are absent from the office the RIO may delegate an acting RIC.

### **7 SOPA's Open Access Information**

Section 18 of the Act states the requirement for Agencies to have certain information made available to the public and that the public are to be given the opportunity to contribute to policies that impact on the public. All information required under Section 18 is made publicly available via SOPA's Corporate Website.

<https://www.sopa.nsw.gov.au/Resource-Centre/Government-Information-Public-Access-GIPA>

<https://www.sopa.nsw.gov.au/Resource-Centre/Resource-Publications>

### **8 SOPA's Register of Certain Contracts**

The Tender Secretary is responsible for ensuring compliance with SOPA's obligations to post all SOPA's tenders and contracts, on the government's e-tendering website.

### **9 Protections**

Section 113 of GIPA provides protections for officers disclosing government information. These protections equally apply to formal and informal Access Requests / Applications, Protections under Section 113, apply to all decisions / determinations made in good faith.

### **10 Informal Applications**

Informal GIPA access applications do not need to be lodged with a specific form. They can be submitted by email to [gipa.privacy@sopa.nsw.gov.au](mailto:gipa.privacy@sopa.nsw.gov.au). These applications do not require any payment of fees or charged however, they are decided on case by case basis by the RIC or ARIC.

If it is determined a formal application is required the applicant will be advised in writing, be it via letter or email.

### **11 Formal Applications**

Formal GIPA access applications incur fees and charges and are to be lodged using the [application form](#) available on SOPA's website Fees can be charged, consultation is required for all third party information and information cannot be

removed unless there is an overriding public interest against disclosure details of these are outlined within Section 14 of the Act

### **12 CCTV footage – Requests from Law Enforcement and Emergency Services**

Requests for CCTV footage made by members of NSW Police and other law enforcement bodies are to be managed in accordance with SOPA's CCTV Protocol by SOPA's Manager, Precinct Operations and/or their delegated officers.

### **13 CCTV footage – Requests from Public**

All requests for CCTV footage made by members of the public are to be lodged as formal applications due to potential third party rights.

### **14 Student Requests**

Student and research enquiries may be dealt with by the relevant manager within SOPA where such requests do not fall within the categories listed at paragraphs 10 and 11. Information provided in response to such requests should be limited to information that is easily accessible. Information provided will not contain confidential, copyrighted or personal information.

### **15 Fees and Charges**

Fees and charges shall be levied by SOPA pursuant to GIPA and any directions of the Information Commissioner NSW.

### **16 Offences under GIPA**

Section 116 through to Section 120 of the Act lists penalties that apply to unlawful actions concerning release or non-release of information including coercion of, or influencing the outcome of an access application.

### **17 Related References**

- Government Information (Public Access) Act 2009 No 52 PRO16/1 - Government Information (Public Access) (GIPA) - Processing Informal Applications
- PRO16/2 - Government Information (Public Access) (GIPA) - Formal Application Processing Procedure
- PRO16/3 - Government Information (Public Access) (GIPA) - Agency Proactive Release Information Review Procedure

### **18 Contact Officer**

All enquiries are to be referred to the RIO on (02) 9714 7300 or [gipa.privacy@sopa.nsw.gov.au](mailto:gipa.privacy@sopa.nsw.gov.au)