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Royal Historical Society of Queensland

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Privacy & FOI Policy Branch
Department of the Prime Minister and Cabinet
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CANBERRA ACT 2600
Email: foiconsultation@pmc.gov.au

Dear Sir,

In its role as a member of the National Archives of Australia Brisbane Office Consultative Forum, the Society's Council is pleased to lodge a submission concerning the proposed Freedom of Information Amendment (Reform) Bill 2009 and the Information Commissioner Bill 2009.

We note that this is the most significant overhaul of the *Freedom of Information Act 1982* (FOI) since its inception and seeks to enhance accountability and transparency in government. The Society supports the establishment of independent office of the Information Commissioner. The Society supports the introduction of a pro-disclosure public interest test for the provision of information in a new 'Right to Information' regime and that FOI application fees will be abolished.

The Society confirms its strong support for the reduction of the Archives Act's 30 year rule for access to documents to 20 years and allowing access to Cabinet documents after 30 years. The Society commends the role of the National Archives of Australia (NAA) in providing advice, standards and guidelines to all Australian government agencies and offices in record keeping practices, and supports the recognition of the NAA as the Commonwealth's recordkeeping authority.

We recognise the recent history of the development of Archives legislation following the review of the *Archives Act 1983* by the Australian Law Reform Commission in 1998 and the subsequent introduction to the Commonwealth Parliament of the Archives Amendment Bill 2006 and the passage of an almost identical Bill in November 2008. The significant amendments of the *Archives Act 1983* in November 2008 to sections 2A, 3(1), 3(2), 5, 6(2), 6(3), 27, 30, 31, 61 and 64(1) and 64(2), affect how researchers are able to access records for more recently created records and into the future. Of particular interest to historians is the timeliness of the provision of access to the archival resources of the Commonwealth. We urge the NAA to implement policies which ensure that transfer of archival resources to NAA occurs in a practicable timeframe after the record ceases to be utilised within the Commonwealth agency (s.27(3)(a)). We observe that where this is not achieved then researchers' access to records within the open access period could potentially be delayed or jeopardised.

In conclusion the Society supports the two Bills, particularly in their relevance to historians' greater access to the Commonwealth's archival resources in more efficient means.

Yours sincerely,
Dr Ruth S. Kerr Hon Secretary