

South Australia

Freedom of Information (Exempt Agency) Regulations 2008

under the *Freedom of Information Act 1991*

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Legislative history

1—Short title

These regulations may be cited as the *Freedom of Information (Exempt Agency) Regulations 2008*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978* section 10AA).

3—Interpretation

In these regulations—

Act means the *Freedom of Information Act 1991*.

4—Exempt agencies

For the purposes of the definition of *exempt agency* in section 4(1) of the Act, the following agencies are declared to be exempt agencies:

- (a) the Senior Secondary Assessment Board of South Australia established under the *Senior Secondary Assessment Board of South Australia Act 1983*;
- (b) the RESI Corporation, continued in existence under the *Electricity Corporations Act 1994*;
- (c) the Generation Lessor Corporation, the Distribution Lessor Corporation and the Transmission Lessor Corporation established under the *Public Corporations Act 1993*;

- (d) the commission of inquiry established under the *Commission of Inquiry (Children in State Care and Children on APY Lands) Act 2004*;
- (e) each agency established by or under the *Health and Community Services Complaints Act 2004*.

5—Exempt agencies in respect of certain information—education agencies

- (1) For the purposes of the definition of **exempt agency** in section 4(1) of the Act, the following agencies are declared to be exempt agencies in respect of comparative student performance information:
 - (a) the Minister responsible for the administration of the *Senior Secondary Assessment Board of South Australia Act 1983*;
 - (b) the Minister responsible for the administration of the *Education Act 1972*;
 - (c) the Department of Education and Children's Services.
- (2) In this regulation—

children of compulsory education age has the same meaning as in the *Education Act 1972*;

comparative student performance information means information of any of the following classes (whether presented in a statistical form or otherwise):

- (a) aggregated information relating to the results of any assessments undertaken by senior secondary students or children of compulsory education age;
- (b) aggregated information relating to the tertiary entrance ranks of senior secondary students;
- (c) aggregated information relating to exemptions granted to children of compulsory education age under the *Education Act 1972* from a requirement under that Act that the children be enrolled in an approved learning program;

senior secondary students means—

- (a) before the day that section 6 of the *Senior Secondary Assessment Board of South Australia (Review) Amendment Act 2008* comes into operation—a student undertaking senior secondary education (within the meaning of the *Senior Secondary Assessment Board of South Australia Act 1983*); and
- (b) on and from the day that section 6 of the *Senior Secondary Assessment Board of South Australia (Review) Amendment Act 2008* comes into operation—a student (within the meaning of the *Senior Secondary Assessment Board of South Australia Act 1983*).

Schedule 1—Revocation of *Freedom of Information (Exempt Agency) Regulations 1993*

The *Freedom of Information (Exempt Agency) Regulations 1993* are revoked.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations

Year	No	Reference	Commencement
2008	19	<i>Gazette 28.2.2008 p754</i>	28.6.2008: r 2