

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*.

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*).

6—Exempt agency in respect of certain functions and information—Training Advocate

- (1) For the purposes of the definition of *exempt agency* in section 4(1) of the Act, the Training Advocate is declared to be an exempt agency in respect of functions set out in clause 2 of the charter (Independent complaint handling process).

- (2) In this regulation—

charter means the charter establishing the Training Advocate's functions prepared under section 21 of the *Training and Skills Development Act 2008* and as in force on 4 September 2008;

Training Advocate means the Training Advocate established under section 18 of the *Training and Skills Development Act 2008*.

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.

Legislation revoked by principal regulations

The *Freedom of Information (Exempt Agency) Regulations 2008* revoked the following:

Freedom of Information (Exempt Agency) Regulations 1993

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2008	19	<i>Gazette 28.2.2008 p754</i>	28.6.2008: r 2
2008	247	<i>Gazette 4.9.2008 p4246</i>	4.9.2008: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>4.9.2008</i>
r 6	inserted by 247/2008 r 4	4.9.2008
<i>Sch 1</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>4.9.2008</i>