

South Australia

Freedom of Information (Exempt Agency) Regulations 2008

under the *Freedom of Information Act 1991*

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

1—Short title

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

2—Commencement of Act

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.

Made by the Governor

with the advice and consent of the Executive Council
on 28 February 2008

No 19 of 2008

FIN08/001CS