

South Australia

## **Civil Liability Variation Regulations 2015**

under the *Civil Liability Act 1936*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Civil Liability Variation Regulations 2015*.

#### **2—Commencement**

These regulations will come into operation on the day on which section 75A of the *Civil Liability Act 1936* comes into operation.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Civil Liability Regulations 2013*

### 4—Insertion of Part 5

After regulation 25 insert:

#### Part 5—Miscellaneous

##### 26—Prescribed information (Section 75A of Act)

- (1) For the purposes of section 75A of the Act, the following information is prescribed:
  - (a) information (other than information relating to the personal affairs of a person) contained in a document to which access has been granted pursuant to an application under the *Freedom of Information Act 1991*;
  - (b) information contained in a document of a kind to which access would (having regard to any policy document applicable to the relevant agency) be likely to be granted pursuant to an application under the *Freedom of Information Act 1991*;
  - (c) information contained in contracts or other documents disclosed pursuant to a policy document;
  - (d) information released pursuant to a disclosure policy (however described) that applies to the whole of Government;
  - (e) information released in accordance with the Declaration of Open Data;
  - (f) information consisting of submissions from members of the public made in the course of consultation undertaken by the Government.
- (2) In this regulation—

***Declaration of Open Data*** means the *Declaration of Open Data* made by the Premier in September 2013, as in force from time to time;

***personal affairs*** has the same meaning as in the *Freedom of Information Act 1991*;

***policy document*** means—

  - (a) a document containing interpretations, rules, guidelines, statements of policy, practices or precedents; or
  - (b) a document containing particulars of any administrative scheme; or
  - (c) a document containing a statement of the manner, or intended manner, of administration of any legislative instrument or administrative scheme; or

(d) any other document of a similar kind,  
applicable to a public sector agency and relating to the disclosure of  
information held by the agency.

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 10 September 2015

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