Implementation and annual review checklist for Part II of the Freedom of Information Act 1982 (Vic)

This checklist is used by [insert agency name] to annually review and update the information and documents required to be published on [insert agency name] website under Part II of the *Freedom of Information Act 1982* (Vic) (**the FOI Act**).

For further guidance on the requirements of Part II of the Act, please read [Part II – sections 7 to 12](https://ovic.vic.gov.au/freedom-of-information/foi-guidelines) of the FOI Guidelines available on the Office of the Victorian Information Commissioner’s website.

## Agency information

|  |  |
| --- | --- |
| Agency name | [insert agency name] |
| Review date | XX / XX / XXXX | |

## Information about [insert agency name] operations and functions – section 7 of the FOI Act

| Information that must be publicly available on [insert agency name] website | Section of Part II | Location and review checklist | |
| --- | --- | --- | --- |
| How and under what legislation is [insert agency name] established? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| Who is the principal officer of [insert agency name]? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| How can [insert agency name] be contacted? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| Who is the Minister or Ministers responsible for [insert agency name]? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What is the organisational structure of [insert agency name]? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What is the function and purpose of [insert agency name]? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What legislation and regulations empower [insert agency name] to undertake its functions? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What legislation and regulations enable [insert agency name] to make decisions affecting the public?  What do these enable [insert agency name] to do? | 7(1)(a)(i) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What are the types or categories of documents [insert agency name] generates and holds? | 7(1)(a)(ii) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| Where can the information and documents prepared in accordance with Part II of the FOI Act be found? | 7(1)(a)(iii) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| Does [insert agency name] publish newsletters or other information by way of subscription and where? | 7(1)(a)(iv) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What is the specific process for making a request to [insert agency name] for documents under the FOI Act? | 7(1)(a)(v) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What is the specific process for requesting an amendment under the FOI Act to an [insert agency name] document? | 7(1)(a)(v) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| What is the title of the individual responsible for making a decision on a request under the FOI Act? | 7(1)(a)(vi) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |
| Has [insert agency name] established any bodies to provide advice whose meetings are public or minutes published?  Where can meetings or minutes be viewed? | 7(1)(a)(vii) | Published:  - Yes |  - No | Up to date:  - Yes |  - No |
| Location/URL: | |

## [insert agency name] internal policies and procedures that must be publicly listed and made available in full on request – section 8 of the FOI Act

| Documents that must be listed on [insert agency name] website and made available | Section of Part II | Location and review checklist |
| --- | --- | --- |
| Any document that satisfies **all** of the following criteria:   * it contains interpretations or particulars of the [insert Acts and regulations administered]; **and** * it is currently used by or guides [insert agency name] or its officers to make decisions or recommendations or provide advice to individuals outside of [insert agency name]; **and** * it concerns the rights, privileges or benefits, or to obligations, penalties or other detriments, to or for which persons are or may be entitled, eligible or subject. | 8(1)(a)(i) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| Any document that satisfies **all** of the following criteria:   * it is a manual, rule of procedure, statement of policy, record of decision, letter of advice to a person outside [insert agency name], or a similar document containing rules, policies, guidelines, practices, or precedents; **and** * it is currently used by, or guides [insert agency name] or its officers to make decisions or recommendations or provide advice to individuals outside of [insert agency name] ; **and** * it concerns the rights, privileges or benefits, or to obligations, penalties or other detriments, to or for which persons are or may be entitled, eligible or subject. | 8(1)(a)(ii) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| Any document that satisfies **all** of the following criteria:   * it contains information about the procedures to be employed in the enforcement of the [insert Acts and regulations administered], or the objectives to be pursued in the enforcement of the [insert Acts and regulations administered]; **and** * it is currently used by, or guides [insert agency name] or its officers in enforcing the FOI Act and PDP Act, and a member of the public might be directly affected by that enforcement. | 8(1)(b) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |

## Reports, publications, and advice of [insert agency name] that must be publicly listed and may be requested under the FOI Act – section 11 of the FOI Act

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| Documents required to be listed on [insert agency name] website | Section | Implementation and annual review checklist |
| A report, or a statement containing the advice or recommendations, of a prescribed body or organisation established within [insert agency name] | 11(1)(a) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report, or a statement containing the advice or recommendations, of a body or organisation established outside [insert agency name] by or under an Act, or by the Governor in Council or a Minister, for the purpose of submitting a report or reports, providing advice or making recommendations to [insert agency name] or to the responsible Minister of that agency | 11(1)(b) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report, or a statement containing the advice or recommendations, of an interdepartmental committee whose membership includes an officer of [insert agency name] | 11(1)(c) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report, or a statement containing the advice or recommendations, of a committee established within [insert agency name] to submit a report, provide advice or make recommendations to the responsible Minister of [insert agency name] or to another officer of [insert agency name] who is not a member of the committee | 11(1)(d) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report (including a report concerning the results of studies, surveys or tests) prepared for [insert agency name] by a scientific or technical expert, whether employed within [insert agency name] or not, including a report expressing the opinion of such an expert on scientific or technical matters | 11(1)(e) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report prepared for [insert agency name] by a consultant who was paid for preparing the report | 11(1)(f) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report prepared within [insert agency name] containing the results of studies, surveys or tests carried out for the purpose of assessing, or making recommendations on, the feasibility of establishing a new or proposed government policy, program or project | 11(1)(g) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report on the performance or efficiency of [insert agency name], or of an office, division or branch of [insert agency name], whether the report is of a general nature or concerns a particular policy, program or project administered by [insert agency name] | 11(1)(h) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report containing final plans or proposals for the re-organisation of the functions of [insert agency name], the establishment of a new policy, program or project to be administered by [insert agency name], or the alteration of an existing policy, program or project administered by [insert agency name], whether or not the plans or proposals are subject to approval by an officer of [insert agency name], another agency, the responsible Minister of the agency or the Cabinet | 11(1)(i) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A statement prepared within the [insert agency name] and containing instructions submitted to the Parliamentary Counsel for the drafting of a Bill | 11(1)(j) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A submission prepared within [insert agency name] (other than by the responsible Minister of [insert agency name]) for presentation to the Cabinet | 11(1)(k) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A report of a test carried out within the [insert agency name] on a product for the purpose of government equipment purchasing | 11(1)(l) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| An environmental impact statement prepared within the [insert agency name] | 11(1)(m) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |
| A valuation report prepared for [insert agency name] by a valuer, whether or not the valuer is an officer of [insert agency name] | 11(1)(n) | Have any relevant documents been identified:  - Yes |  - No  *If ‘no’, skip to next category of documents* |
| Documents are published or publicly listed:  - Yes |  - No  *Identified documents must be publicly listed* |
| Where are the documents listed: |
| Is the list of documents up to date:  - Yes |  - No  *The list must be updated at least every 12 months* |