

FREEDOM OF INFORMATION BILL*Conference Managers' Report*

MR D.L. SMITH (Mitchell - Minister for Justice) [4.11 am]: I present the report of the conference managers of the Legislative Assembly and the Legislative Council.

The conference agreed to delete all of the amendments on which the Houses disagreed and to substitute the following amendments -

No 1

Clause 37, line 13 - To insert after "77" the following -
 , 85 (2) or 87 (2).

No 2

Clause 38, page 25, after line 18 - To insert a new paragraph (c) as follows -
 (c) it ceases to apply by reason of an order under section 87(2)

No 3

Clause 38, page 25, line 20 - To insert after "Subsection (1)" the words "other than paragraph (c)."

No 4

Clause 45, page 29, lines 7 to 11 - To delete the lines.

No 5

Clause 85, page 56, line 14 - To delete "a" where it first occurs and substitute the word "any".

No 6

Clause 85, page 56, lines 15 to 24 - To delete all words after "application" and substitute the following -

- (2) An appeal lies to the Supreme Court from a decision -
 - (a) of the Commissioner refusing or failing to make a decision of the kind mentioned in section 77(3); and
 - (b) by the Premier confirming an exemption certificate pursuant to section 77(4).

No 7

Clause 85, page 57, lines 7 and 8 - To delete the lines.

No 8

Clause 87, page 58, line 2 - To insert after "appeal" the words "under section 85(1) or (2)(a)".

No 9

Clause 87, page 58, after line 11 - To insert the following subclause -

- (2) On the determination of an appeal under section 85(2)(b) the Supreme Court may order that an exemption certificate no longer apply to a document.

No 10

Clause 91, page 60, after line 4 - To insert the following subclause -

- (2) The Supreme Court is entitled to access to and to view documents for the purpose of determining an appeal under section 85(2)(b).

I move -

That the report be adopted.

Question put and passed, and a message accordingly returned to the Council.