



## Office of the Attorney-General

MC16-002463

Ms Kat Lane  
Vice-Chair  
Australian Privacy Foundation  
Kat.Lane@privacy.org.au

03 MAR 2016

Dear Ms Lane

Thank you for your letter to the Attorney General, Senator the Hon George Brandis QC, dated 2 February 2016, concerning the Office of the Australian Information Commissioner (OAIC) and the re-appointment of the Information Commissioner. The Attorney-General has asked me to reply on his behalf.

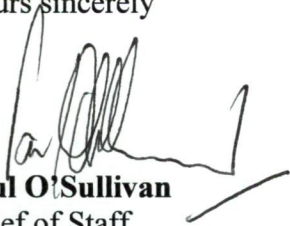
In the 2014-15 Budget, the Australian Government announced arrangements for streamlining the regulation of privacy and FOI under the measure *Smaller Government – Privacy and Freedom of Information functions – new arrangements*. Accordingly, the Government introduced the Freedom of Information Amendment (New Arrangements) Bill 2014 (the Bill). The Bill proposes to abolish the OAIC and transfer its functions to other agencies.

As the Bill is still before the Parliament, the OAIC remains responsible for privacy and FOI regulation and the Government is ensuring that arrangements are in place for the continued exercise of the Information and Privacy Commissioner functions. As you mention, Mr Timothy Pilgrim PSM has been appointed as the acting Information Commissioner until 19 April 2016. He is successfully performing the functions and exercising the Commissioner powers under *the Privacy Act 1988*, *Freedom of Information Act 1982* and *the Australian Information Commissioner Act 2010*. Any further decisions about statutory appointments are a matter for the Government.

The OAIC's privacy functions are already funded on an ongoing basis. Resources have been provided to the OAIC for the continued exercise of its FOI functions in 2015-16. The OAIC is effectively managing its workload within the current funding arrangements.

Thank you for bringing your concerns to the Attorney-General's attention.

Yours sincerely



**Paul O'Sullivan**  
Chief of Staff