

Information Act 2002 Guideline

NT Information Act – Overview

The NT *Information Act 2002* is about:

- Keeping people better informed about how the NT government does its job for the community.
- Protecting your privacy when government needs to collect or deal with information about you.
- Improving how the NT government records and manages information.

The *Information Act 2002* does this in three ways.

1. Freedom of Information (FOI)

You have a right to apply for access to any **government information** held by NT public sector organisations, including information about you.

You also have a right to apply for correction of your own **personal information** if you can show that your personal information is inaccurate, incomplete or out of date. See our guideline “Correcting personal information”.

Government information means records (including electronic records) that each public sector organisation must keep as evidence of its activities. This includes computer and other forms of electronic records, personal information about individuals and commercial information about businesses.

Personal information is government information from which an individual’s identity can be ascertained. But it does not include information where a person’s identity is disclosed only in the context of having acted in an official capacity and discloses no other personal information about the person.

It does include personal information held by the organisation in personnel records or files.

Information can be disclosed in many ways, for example, by putting information on websites, publishing written materials, placing information in libraries and by other access schemes.

Each organisation must:

- publish an annual Information Statement about its functions and the information it holds;
- make available to the public as much information as is reasonably possible.

Before making an application, feel free to contact the organisation to ask what is already available.

You can apply for records that already exist. This does not include knowledge or views held by staff that has not been recorded. It does not include documents that once existed but have been destroyed in accordance with Government Disposal Schedules before you apply.

You apply in writing to the organisation that you think holds the information. See our guideline, “How to apply for Information” on line and check the forms we have published to assist with this process.

2. Privacy Protection

The Act sets out 10 Information Privacy Principles that state how public sector organisations must collect, manage, use and disclose your **personal information**. It also gives you the right to complain about interferences with your privacy.

If you think this has happened, first contact the public sector organisation to give the organisation the option to resolve the matter with you. If you are not satisfied with the response, you can complain to the Information Commissioner.

See our [guideline](#) “Making a complaint” and the [form](#) you may use for this purpose.

3. Records management

The Act provides a legal framework for continuing improvements to the way government activities are recorded, and the way those records are managed. That means better management of government operations. It also assists FOI and Privacy processes by providing systems and procedures that enable applications and complaints to be dealt with more quickly and more efficiently.

What rights do I have over my personal information?

The Act gives you rights to:

- apply for access to your personal information;
- apply to have your personal information corrected, if it is inaccurate, incomplete or out of date; and
- complain that your personal information has been collected or handled contrary to the Information Privacy Principles.

Also, if another person has applied for information under the FOI access provisions that includes your personal information, the organisation must make all reasonable attempts to consult you, before it decides to

disclose information that might interfere with your privacy.

What is a public sector organisation?

Public sector organisations include:

- NT government departments
- NT statutory corporations
- NT Police Force
- Local Government.

Private sector contractors to government will also be covered by the Act to the extent of the services provided to government.

Section 5 of the Act describes the types of person or body that are public sector organisations.

Does it cost anything?

There are no fees for making a complaint about a breach of your privacy or for making an application to correct your own personal information.

Providing access can be costly, so fees are payable for most FOI access applications. The fees are more limited if you only apply for your personal information.

Fees may be waived or reduced in special cases if you apply to have fees reduced or waived.

This guideline is produced by the Information Commissioner to promote awareness and understanding about the *Information Act 2002*. It is not a substitute for the Act. You should read the relevant provisions of the Act to see how it applies in any particular case.

Any views expressed in this guideline about how the Act works are preliminary only. In every case, the Commissioner is open to argument by a member of the public or a public sector organisation that a different view should be taken.