Agency Information Guide

Table of Contents

1. Introduction to the NSW Treasury Agency Information Guide

The NSW Treasury Agency Information Guide has been produced in accordance with section 20 of the *Government Information (Public Access) Act 2009* (GIPA Act). The Agency Information Guide describes:

- our functions and structure
- how our functions affect members of the public
- how members of the public can participate in the formulation of Treasury policy
- the types of government information we hold
- the types of information that we make available to the public, and how
- the fees and charges that will need to be paid to access different types of information

2. NSW Treasury's functions and structure

2.0 Functions

A central agency with a wide responsibility for policy advice and direction, the NSW Treasury serves the Treasurer and the Government by providing economic and financial advice for the overall management of the state's finances. This includes expenditure, revenue and risk management strategies.

The NSW Treasury prepares the Budget and the Consolidated Financial Statements for the state. We also issue directions on accounting and financial matters to public sector agencies through the Treasurer's Directions, Treasury Circulars and Statements of Best Practice.

The Secretary of NSW Treasury is the employer of the NSW Public Service for industrial purposes and is responsible for the central management of NSW public sector industrial relations functions. As a Principal Department in the NSW Public Sector, Treasury has administrative responsibility for the following entities:

- Long Service Corporation
- State Rail Authority Residual Holding Corporation
- Liability Management Ministerial Corporation
- Lotteries Assets Ministerial Holding Corporation
- Ports Assets Ministerial Holding Corporation
- Electricity Assets Ministerial Holding Corporation
- Electricity Transmission Ministerial Holding Corporation

The following entities fall within the Treasury cluster, but do not report to the Treasurer through Treasury itself:

- Treasury Corporation (TCorp)*
- Long Service Corporation
- SAS Trustee Corporation
- Residual Business Management Corporation
- Port Newcastle, Port Botany and Port Kembla Lessor Companies (Pty Ltd)
- Cobbora Holding Company Pty Ltd
- Hunter Valley Training Company Pty Ltd

*Indicates Corporations Law company. TCorp has separate governance arrangements.

Treasury also administers the Crown Entity which manages assets, liabilities and transactions that cover matters relevant to the government as a whole rather than any individual agency.

Information on the current structure and functions of the Department is publicly available in the "About" section of the Department's website and is also contained in Treasury's Annual Report.

2.1   Structure

The NSW Treasury comprises seven directorates:

- ☐ Fiscal and Economic Group
- ☐ Agency Budget and Policy Group
- ☐ Commercial Group
- ☐ Financial Risk Management and Transformation
- ☐ Industrial Relations Group
- ☐ Corporate Group
- ☐ Human Resources

The Secretary is responsible for the performance of the NSW Treasury. The Treasury Leadership Team comprises the Secretary of Treasury, four Deputy Secretaries and three Executive Directors.

3. The effect of NSW Treasury's functions on the public

NSW Treasury's functions affect the public indirectly. Treasury's corporate vision sets us to work towards ongoing prosperity for the people of New South Wales. Our key commitment to the public is to provide advice to government designed to deliver such prosperity and to sustain it over time. By providing economic and financial advice for the overall management of the state's finances, NSW Treasury influences:

- ☐ Business confidence
- ☐ Jobs growth and employment opportunities
- ☐ The range and standard of public services (including, for example, health, education, and transport services)

4. Public participation in policy development

NSW Treasury sponsors a range of major policies that affect the public. The biggest impact of our policy role, however, is on the internal workings of other state government departments and authorities.

Public consultation associated with major policy developments generally occurs through the host departments and authorities.

If you would like to make any suggestions or leave any feedback, please email contact@treasury.nsw.gov.au.

5. Information held by the NSW Treasury

NSW Treasury holds a wide variety of information in relation to its functions and operations. Presented below are the major categories of information and the various types of information within each category.

Major categories	Various types of information
State Finance and Budget Reports	• State budget papers and reviews • State financial reports • General government financial statements • Other financial reports • State infrastructure strategy
Governance	• Corporate plan • Annual reports • Treasury circulars • Treasury policies and guidelines • Research and information papers
Operations	• Ministerial briefing papers • Internal working papers • Correspondence with ministers and other members of parliament • Correspondence with other government agencies and the business community • Personnel files • Workers compensation files
Treasurer's Office	• Media releases • Treasurer's directions

A large range of information is available free of charge on NSW Treasury's website. To access information released under the open access and proactive release provisions of the GIPA Act, go to the Treasury Publications page on the website.

6. How to access information held by the NSW Treasury

6.0   Four pathways to information

Under the GIPA Act, there are four ways the public can access government information:

1. Mandatory open access
2. Proactive release
3. Informal request
4. Formal request

6.1   Mandatory open access

Mandatory open access information is information the NSW Treasury must make publicly available unless, on balance, it would be contrary to the public interest to provide that information.

To access our open access information, go to the open access information page on the NSW Treasury website.

On this NSW Treasury website, we make the following mandatory open access information available free of charge:

- Agency Information Guide
- Policy Documents
- Disclosure Log
- Register of Government Contracts
- Documents Tabled in Parliament
- Record of Open Access Information Not Publicly Available
- Major Assets List
- Property Disposal List
- Guarantee of Service
- Code of Conduct

6.2   Proactive release

In addition, NSW Treasury pro-actively makes available, free of charge on this website, a large range of additional information including Half-Yearly Review of State Finances and Reports on State Finances; Weekly Economic Calendars; Weekly Market and Economics Roundup; reviews of economic data and working publications used by NSW Treasury for monitoring and analysis purposes; and internal guidelines and procedures.

6.3   Informal request

Members of the public have a right to informally request government information that is not already publicly available.

An informal request removes the red tape from disclosing information and can be applied and interpreted flexibly. The NSW Treasury can decide how information is released (e.g. letter, email, phone, in person, etc.) and place certain conditions on information released informally (e.g. no further copying of the document released).

We will endeavour to accommodate any informal request wherever possible in accordance with the objectives of the GIPA Act.

There are no legal review rights for decisions made in response to an informal request.

If we do not give you information in response to an informal request, we will inform you of your right to make a formal request for information (also referred to as a formal access application) under the GIPA Act.

For more information about making an informal request, please go to the Informal Request page on the NSW Treasury Website.

6.4   Formal request (access application)

If the information you seek is not available on our website and we cannot provide it to you as an informal request for information, unless there is an overriding public interest against disclosure, you have a right to access the information by lodging a formal access application.

A formal access application for information should be a last-resort option for accessing government information.

We will respond to your formal access application within 20 working days (subject to any extension allowed for under the GIPA Act). If an extension of time is required to deal with your application, we will let you know in writing.

Although an access application may be made for all other government information held by the NSW Treasury, NSW Treasury will not release information if there is an overriding public interest against the disclosure of the information.

Furthermore, there are certain types of information (as per Schedule 1 of the GIPA Act) where there is a conclusive presumption of an overriding public interest against disclosure. NSW Treasury cannot release this type of information. The following are examples only:

- ☐ Cabinet Information
- ☐ Executive Council Information
- ☐ Legal professional privilege information
- ☐ House Folder Notes and draft answers to Questions on Notice
- ☐ Information about authorized transactions under the *Electricity Network Assets (Authorised Transactions) Act 2015*

For more information about lodging a formal access application (including fees, charges, review rights and how to submit a valid application) please go to the Formal Request page on the NSW Treasury Website.

You should forward your formal request for information to:

Public Access to Government Information Request
Executive and Ministerial Services
NSW Treasury
GPO Box 5469
Sydney NSW 2001

7. Fees and charges

Mandatory open access information is available to the public on NSW Treasury's website free of charge. However, if the information on the website is required in another form (e.g. hard copy), reasonable costs may apply.

Proactively released information is generally available on NSW Treasury's website free of charge. However, if the information on the website is required in another form (e.g. hard copy), reasonable costs may apply.

Informal requests for information are normally free of charge. However, where it is not feasible for us to release the information for free (e.g. because the volume is too great), we will invite the applicant to view the documents, utilise NSW Treasury's photocopying facilities at their own expense or make a formal request for information.

Formal requests for information involve a $30 application fee (NSW Treasury has the discretion to waive or reduce the application fee). We may also charge $30 per hour after the first hour to search for and copy the information. A 50 per cent reduction may apply if you can provide evidence that:

- ☐ you would suffer financial hardship, or
- ☐ the information is of special benefit to the public generally

For more information on these fees and charges, go to the Formal Request page on the NSW Treasury Website.

8. For more information

8.0   Treasury's Manager Parliamentary Support and Information

If you have any questions or need advice about accessing the information held by the NSW Treasury, please contact the Manager Parliamentary Support and Information:

Calling:	**02 9228-3325**
Emailing:	gipa@treasury.nsw.gov.au.
Writing to:	Manager Parliamentary Support and Information Public Access to Government Information Request Executive and Ministerial Services NSW Treasury GPO Box 5469 Sydney NSW 2001

8.1   NSW Information Commissioner

You can also get more details about your right to government information from the Office of the Information Commissioner:

Calling:	**1800 472 679**
Emailing:	ipcinfo@ipc.nsw.gov.au
Writing to:	NSW Information and Privacy Commission GPO Box 7011 Sydney NSW 2001
Website:	www.ipc.nsw.gov.au