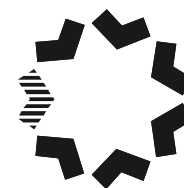
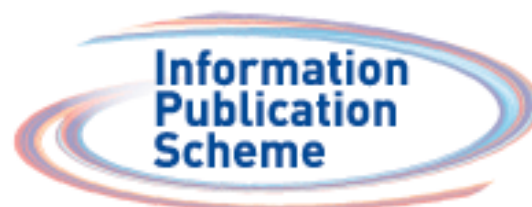


NATIONAL
COMPETITION
COUNCIL



Agency Plan



Freedom of Information Act 1982



April 2011

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1 Introduction

- 1.1 The National Competition Council (**Council**) is established by Part IIA of the *Competition and Consumer Act 2010* (Cth) (**CCA**). It is a Commonwealth agency that is required to comply with the Information Publication Scheme (**IPS**) established by the *Freedom of Information Act 1982* (Cth) (**FOI Act**). This agency plan describes how the Council intends to satisfy its IPS obligations.
- 1.2 In preparing this agency plan, the Council has had regard to the objects of the FOI Act and to the guidelines issued by the Australian Information Commissioner under s 93A of the FOI Act (available at www.oaic.gov.au/publications/guidelines.html). The Council recognises that by meeting its IPS obligations the Council will be furthering the objects of the FOI Act. However, the Council also notes that it does not collect personal information, has not received FOI requests in relation to its current functions and expects to have published all required IPS documents before 1 May 2011.

2 Objectives

The objectives of this agency plan are to assist the Council to implement its IPS contribution. This agency plan outlines how the Council will:

- identify and publish all information held by the Council that
 - must be published under s 8(2), and
 - that the Council may wish to publish under s 8(4)
- ensure that information published under the IPS is
 - accurate, up to date and complete, and
 - easily discoverable, understandable, machine-readable, re-useable and transformable, and
- monitor the Council's IPS contribution.

3 Identifying and publishing information held by the Council

- 3.1 The Council's contribution to the IPS is lead by a Director, with the assistance of in-house legal counsel and the IT Coordinator (the **FOI team**).
- 3.2 The Council expects to have published on its website before 1 May 2011 all information required to be published under s 8(2).
- 3.3 The Council does not collect personal information, other than the contact details of interested parties who make submissions or subscribe to the Council's update service. Further information about how the Council collects and uses this personal information is provided on the privacy page of the Council's website. The Council received two FOI applications relating to its former role under the National Competition Policy which concluded in 2005. It has received no FOI requests in relation to its remaining functions under Part IIIA of the CCA and the National Gas Law.
- 3.4 As the Council expects to have complied with s 8(2) of the FOI Act by 1 May 2011 and neither collects personal information nor receives FOI requests, it considers that a public consultation process in advance of releasing this agency plan is unnecessary. However, the Council welcomes public comment on its IPS contribution, including this agency plan. Comments and questions can be emailed to the FOI officer at foi@ncc.gov.au or mailed to GPO Box 250, Melbourne, Victoria 3001. The Council will make any necessary amendments to the agency plan on 1 May 2011 and thereafter as necessary from time to time.
- 3.5 The Council will publish on its website a list of any IPS documents that are impracticable to publish online, should any be identified. In the event that a person requests access to an IPS document that has not been published and that is identified by the FOI team as impracticable to publish online, the Council may impose a charge for access to that IPS document:
 - at the lowest reasonable cost, and
 - to reimburse specific reproduction costs or other specific incidental costs.
- 3.6 The Council's IPS web page will state that a person seeking access to any Council documents that do not appear on the Council's website may contact the FOI officer to arrange access.

4 IPS information architecture

- 4.1 The Council will publish information under both s 8(2) (required information) and s 8(4) (optional information) on the IPS page of the Council's website (www.ncc.gov.au/ips) under the following headings:

Agency plan (s 8(2)(a))

- This will include a link to this agency plan.

Who we are (ss 8(2)(b) and (d))

- This will include an organisation chart and information about statutory appointments, including the term of appointment and the provision of the Act under which the person is appointed.

What we do (ss 8(2)(c) and (j) and 8(4))

- This will outline the functions and decision making powers of the Council.
- The Council will also publish its operational information under this heading. A link to the Council's policy page will also be provided. The policy page will provide access to the Council's Strategic Plan and policies.

Our reports and responses to Parliament (ss 8(2)(e) and (h))

- This will include the Council's annual reports and other documents provided to the Parliament.

Council communications (s 8(4))

- This will include the submissions made by the Council to Parliamentary committees, the Productivity Commission and other agencies.

Routinely requested information disclosure log (s 8(2)(g))

- The Council has not received any requests under the FOI Act in relation to its current responsibilities. The Council will place a notice to this effect on its website.

Disclosure log (s 11C)

- The Council has not received any requests under the FOI Act since the conclusion of the National Competition Policy in 2005. The Council will place a notice to this effect on its website.
- Should the Council receive any requests it will clearly identify in a disclosure log any documents to which access is granted under the FOI Act.

Consultation (s 8(2)(f))

- This will include information about how and to whom a comment may be submitted by members of the public, where the Council undertakes public consultation on a matter before the Council.

Contact us (s 8(2)(i))

- This will include the name, telephone number and an email address for a contact officer, who can be contacted about access to the Council's information or documents under the FOI Act. The Council will establish generic telephone numbers and email addresses for this purpose that will not change with staff movements.

4.2 To ensure that its IPS information is easily discoverable, understandable and machine-readable, the Council will:

- publish an IPS icon on the homepage of its website, which will link to the IPS section of the website
- design and publish an IPS entry point on its website
- wherever possible, provide online content in a format that can be searched, copied and transformed
- publish a sitemap for its website, to help individuals identify the location of IPS information
- provide a search function for its website
- provide an alert service to notify subscribers of new publications or other developments under the IPS
- establish links to this agency plan and to the sitemap at www.directory.gov.au
- invite and respond to any community feedback about the Council's IPS contribution.

4.3 As far as is possible, the Council will make its IPS information holdings available for reuse on open licensing terms.

4.4 The Council expects to have published all optional information under s 8(4) by September 2011.

5 Accessibility under the IPS

- 5.1 The FOI team will review IPS information to ensure it complies with WCAG 2.0 Level A by December 2012 and Level AA by December 2014. To this end, the FOI team will:
- identify the format of all IPS documents currently published on the Council's website
 - where necessary, create a link to alternative formats of IPS documents on the Council's website
 - identify any other issues that may affect publication of an IPS document on the Council's website.
- 5.2 The Council's website will state that where a document is not yet available in an accessible format, it will be made available in an accessible format on request, by contacting the FOI officer (whose contact details will be provided).
- 5.3 From the commencement of the IPS, the Council will publish any new IPS documents as soon as possible after they become available and will ensure that information newly published conforms with the WCAG 2.0 as soon as possible.

6 IPS compliance review

The Council will review and revise this agency plan annually.