

# Right to Information Policy (v8.0)

## VERSION HISTORY

Rev No.	Date	Revision Description	Approval
1.0	28 June 2010	Initial draft.	5 July 2010
2.0	12 July 2011	Annual review. Amendments made to reflect Governance Division.	
3.0	15 July 2012	Annual review. Updated contact details.	15 July 2012
3.1	17 October 2014	Annual review. Changed from centralised to decentralised process for addressing applications.	4 November 2014
4.0	4 November 2014	Incorporate ALT feedback.	11 November 2014
5.0	October 2017	Miscellaneous review cycle updates.	Chief Executive Officer, 16 October 2017
6.0	October 2020	Review date extended to April 2021 and minor administrative amendments relating to the 2019 Operational Model Reset.	Acting Chief Executive Officer, 12 January 2021
7.0	January 2021	Periodic Review	Chief Executive Officer, 4 May 2021
8.0	May 2024	Periodic Review	Chief Executive Officer, 17 October 2024

## AUTHORISATIONS

<b>Prepared by:</b>	Senior Corporate Counsel	June 2024
<b>Endorsed by:</b>	Company Secretary/General Counsel	June 2024
<b>Approved by:</b>	Chief Executive Officer	17 October 2024
<b>Next review due:</b>	Three yearly	October 2027

## CONTACT FOR ENQUIRIES (POLICY OWNER)

Kate Spencer – Legal, Risk & Compliance Manager/RTI Delegated Officer  
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## 1. Introduction

Aurora Energy has a statutory obligation to disclose certain information in its possession to members of the public upon request, unless that information is exempt information. The *Right to Information Act 2009* (Tas) (Act) provides for greater access to information held by public authorities (which includes Aurora Energy) by:

- authorising and encouraging greater routine disclosure of information without the need for requests or applications;
- authorising and encouraging greater active disclosure of information in response to informal requests without the need for applications;
- giving members of the public a right to certain information; and
- providing that access to information is restricted in only limited circumstances which are defined in the Act.

## 2. Purpose

The purpose of this policy is to outline Aurora Energy's approach to complying with the Act and inform employees, contractors and the general public on Aurora Energy's rights and obligations under the Act.

## 3. Scope

This policy applies to all employees and contractors of Aurora Energy, particularly the Principal Officer and the Delegated Officer(s).

## 4. Definitions

<b>Act</b>	<i>Right to Information Act 2009</i> (Tas).
<b>Application for Assessed Disclosure</b>	An application for the disclosure of information made under the Act.
<b>Delegated Officer</b>	A delegate appointed by the Principal Officer under the Act.
<b>Principal Officer</b>	The Chief Executive Officer.
<b>Whistleblowers Policy</b>	The Aurora Energy Public Interest Disclosures ('Whistleblowers') Policy.

## 5. Policy

The provisions of the Act have wide implications for Aurora Energy in the way it conducts its business and manages its documentation.

### 5.1 Principal Officer and Delegated Officer(s)

The Principal Officer is ultimately responsible for Aurora Energy's compliance with the Act. The Act permits the Principal Officer to appoint Delegated Officer(s) and these are recorded in Aurora Energy's Delegations Policy. A Delegated Officer may perform functions or exercise powers under the Act (aside from the power to appoint further Delegated Officers). The Principal Officer and the Delegated Officer(s) are authorised to make decisions in relation to applications within the scope of the Act (including decisions regarding Applications for Assessed Disclosure).

## 5.2 Managing Information and Applications

The Act gives a person the right to be provided with certain information in the possession of Aurora Energy, unless that information is exempt information. There are four types of disclosure:

- required disclosure: disclosures which are required by law (such as annual reports);
- routine disclosure: disclosures made where the information may be of interest to the public;
- active disclosure: disclosures made in response to a request, other than an Application for Assessed Disclosure under the Act (such as an informal request made by telephone); and
- assessed disclosure: disclosures made in response to an Application for Assessed Disclosure.

Aurora Energy must provide information sought by a valid Application for Assessed Disclosure unless that information is 'exempt information' under Part 3 of the Act. Information which falls into a category listed under Division 1 of Part 3 of the Act is exempt information without qualification. Information which falls into a category listed in Division 2 of Part 3 of the Act is only exempt information if releasing that information would be contrary to the public interest. Where the information for disclosure contains personal information or the information generated by third parties, the Act may require a public authority to contact those interested parties to seek their view on whether the information should be disclosed.

To ensure uniform compliance with the Act, Applications for Assessed Disclosure and other obligations under the Act are coordinated by the Principal Officer or a Delegated Officer.

## 5.3 Internal and External Reviews

If an applicant is not satisfied with a decision on an Application for Assessed Disclosure made by a Delegated Officer, they may apply for an internal review of that decision by the Principal Officer in accordance with the provisions of the Act. If an applicant is not satisfied with a decision on an Application for Assessed Disclosure made by the Principal Officer, they may apply for an external review of that decision by the Tasmanian Ombudsman in accordance with the provisions of the Act.

The Act also outlines other circumstances where an application for external review to the Ombudsman can be made (for example, where an applicant has not received a decision on the outcome of their Application for Assessed Disclosure within the timeframe specified in the Act).

## 5.4 Information for Applicants

Aurora Energy provides useful information regarding the Act on its website, including this Policy, a template Application for Assessed Disclosure form, fees payable and options for online submission.

This information can be accessed via

<https://www.auroraenergy.com.au/about/about-aurora/charters-policies-code/right-to-information>

## 6. Key Stakeholder Responsibilities

The Principal Officer and Delegated Officer(s) have various obligations under the Act, including:

- to act in an impartial manner when making any decision in under the Act;
- to provide written reasons when making any decision in under the Act ;
- to develop policies and procedures in relation to the disclosure of information;
- to publish details of the Act, policies and procedures online;
- to provide details on information published as required disclosures or routine disclosures; and
- to provide details on information released as assessed disclosures.

## 7. Non-compliance with this Policy

Aurora Energy acknowledges that failure to comply with the provisions of the Act may result in Aurora Energy, or officers within Aurora Energy, being subjected to financial penalty or to other sanctions.

All non-compliances with this Policy will be recorded in accordance with the Compliance Policy.

Any non-compliances that are risk-rated as Severe or Major will be escalated to the Board or a relevant Board Committee through Aurora Energy's non-compliance reporting processes.

Non-compliances that are risk-rated as Moderate or Minor will be reported to the Chief Executive Officer.

Incidents of wilful non-compliance with this Policy are considered to be serious and will be dealt with in accordance with Aurora's normal performance management process, which may include dismissal.

## 8. Related Policies

- Compliance Policy (Lead Policy)
- Delegation Policy
- Public Interest Disclosure Whistleblowers Policy

## 9. Precedence

In the event of a conflict between policies, the following precedence will apply in this order to the extent of any inconsistency:

- Board approved Policy.
- CEO approved Policy.
- Business approved Procedure.
- Business approved Work Practice.

## 10. Policy Approval and Review

The Chief Executive Officer is responsible for approving this Policy at least three yearly or earlier if a significant business or legislative environment change occurs that may impact the policy.

## 11. Whistleblowing Statement

In extreme circumstances an individual may be concerned that a serious breach of this policy has occurred but considers that it would be personally damaging to pursue it through normal channels. In such circumstances the individual should refer to Aurora Energy's Public Interest Disclosure Policy ('Whistleblowers Policy') for information about how to report such a concern and to whom.

Aurora Energy's Public Interest Disclosure Policy ('Whistleblowers Policy') is based on the *Public Interest Disclosures Act 2002* (Tas). This Policy is available on both Aurora Energy's external website and its internal intranet.

Delegated officers under the Public Interest Disclosure Policy will do all that is possible and practicable to ensure the identity of the individual and the identity of the person who is the subject of the disclosure are kept confidential.

## 12. Publication

This Policy is approved for publication on Aurora Energy's website and intranet.

**Approved by the Chief Executive Officer on 17 October 2024.**

A handwritten signature in black ink, appearing to read 'N. J. Olan', written over a horizontal line.

**Chief Executive Officer**