



Legislation (Deferral of Sunsetting—Freedom of Information (Charges) Regulations) Certificate 2018

I, Christian Porter, Attorney-General, make the following certificate.

Dated 14 March 2018

Christian Porter
Attorney-General

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1 Name

This instrument is the *Legislation (Deferral of Sunsetting—Freedom of Information (Charges) Regulations) Certificate 2018*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 51(1)(c) of the *Legislation Act 2003*.

4 Definitions

In this instrument:

Act means the *Freedom of Information Act 1982*.

Hawke Review means the independent review published in 2013 of the Act and the *Australian Information Commissioner Act 2010* by Dr Allan Hawke AC and entitled Review of the *Freedom of Information Act 1982* and *Australian Information Commissioner Act 2010*.

Legislation Act means the *Legislation Act 2003*.

Regulations means the *Freedom of Information (Charges) Regulations 1982*.

5 Statement of reasons for issue of certificate

For the purposes of paragraph 51(2)(a) of the *Legislation Act*, this section sets out the statement of reasons for the issue of this certificate.

Statement of reasons

I am satisfied that the Regulations would, apart from the operation of Part 4 of Chapter 3 of the Legislation Act, be likely to cease to be in force within 12 months after the sunseting day for the Regulations.

In 2012-13, the Hawke Review was undertaken in accordance with a legislative requirement that significant freedom of information reforms made in 2010 be reviewed.

The Government is currently considering its response to the Hawke Review and a 12 month deferral of the sunseting day for the Regulations will allow for the Regulations to be remade with respect to the Government response.

The Regulations are due to sunset on 1 April 2018. A 12 month deferral of the sunseting day for the Regulations will avoid the need to remake them in their current form for the short period before they cease to be in force.

6 Deferral of sunseting of the Regulations

The Regulations, for which the sunseting day is 1 April 2018, are taken to cease to be in force under section 51 of the Legislation Act on 1 April 2019.

7 Repeal of this instrument

This instrument is repealed at the start of 2 April 2019.