



Statutory Rules 1991 No. 321¹

Freedom of Information (Miscellaneous Provisions) Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, make the following Regulations under the *Freedom of Information Act 1982*.

Dated 22 October 1991.

BILL HAYDEN
Governor-General

By His Excellency's Command,

MICHAEL DUFFY
Attorney-General

1. Amendment

1.1 The Freedom of Information (Miscellaneous Provisions) Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on the day that the *Freedom of Information Amendment Act 1991* commences: see *Acts Interpretation Act 1901*, s.4]

2. New regulations 5A and 5B

2.1 After regulation 5, insert:

Period for which a certificate remains in force

“5A. For the purposes of section 36A of the Act, the maximum period for which a certificate under subsections 33 (2), 33 (4), 33A (2), 33A (4), 34 (2), 34 (4), 35 (2), 35 (4) or 36 (3) of the Act remains in force is 5 years from the date on which it is signed.

Revocation of a certificate

“5B. (1) For the purposes of section 36A of the Act, a certificate issued under the Act may be revoked:

- (a) in writing; and
- (b) in full or in part.

“(2) For the purposes of section 36A of the Act, a certificate issued under subsection 34 (2) or 34 (4) of the Act may be revoked by the Secretary to the Department of the Prime Minister and Cabinet.

“(3) For the purposes of section 36A of the Act, a certificate issued under subsection 35 (2) or 35 (4) of the Act may be revoked by the Secretary to the Executive Council.

“(4) For the purposes of section 36A of the Act, a certificate issued:

- (a) under subsection 33 (2), 33 (4), 33A (2), 33A (4) or 36 (3) of the Act; and
 - (b) in relation to an official document of a Minister;
- may be revoked by the Minister.

“(5) For the purposes of section 36A of the Act, a certificate issued:

- (a) under subsection 33 (2), 33 (4), 33A (2), 33A (4) or 36 (3) of the Act; and
 - (b) in relation to a document of an agency;
- may be revoked by the responsible Minister or the principal officer of the agency.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 24 October 1991.
2. Statutory Rules 1982 No. 323 as amended by 1983 No. 338; 1985 Nos. 106 and 348; 1986 No. 45; 1987 No. 284; 1990 No. 132.