

## Right to Information Policy (v7.0)

### 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

### AUTHORISATIONS

<b>Prepared by:</b>	Legal, Risk & Compliance Manager	January 2021
<b>Reviewed by:</b>	Company Secretary/General Counsel	4 May 2021
<b>Approved by:</b>	Chief Executive Officer	4 May 2021
<b>Next review due:</b>	Three yearly	April 2024

### CONTACT FOR ENQUIRIES (POLICY OWNER)

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## 1. Introduction

Aurora Energy has a legally enforceable obligation to provide certain information in its possession to members of the public, unless that information is exempt information. The *Right to Information Act 2009* (Tas.) provides for greater access to information held by Government bodies and public authorities (including 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 an enforceable 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 a legally enforceable 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 as a matter of public interest;
- active disclosure: disclosures made in response to a request, other than a formal request 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 requested under an Application for Assessed Disclosure unless it 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 automatically exempt information. Information which falls into a category listed in Division 2 of Part 3 of the Act is only exempt information if releasing that information is contrary to the public interest. Where disclosure would affect personal information or other third party interests, the Act requires that interested parties be notified in some circumstances prior to any disclosure.

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

## 5.3 Internal and External Reviews

If the decision not to release information under an Application for Assessed Disclosure was made by a Delegated Officer, the applicant may request an internal review by the Principal Officer under the provisions of the Act. An application for external review can be made to the Ombudsman by an applicant who is not satisfied with the result of the internal review.

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 several obligations under the Act, including:

- to act in an impartial manner when making a decision whether to grant an Application for Assessed Disclosure;
- to provide reasons on a decision not to grant an Application for Assessed Disclosure;
- 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.
- 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 4 May 2021.**

A handwritten signature in black ink, appearing to read "Kardus", enclosed within a thin black rectangular border.

**Chief Executive Officer**