

Regulatory Insights | Key Update from the NSW Information Commissioner

Presentation to RIMPA Sydney Roadshow

3 July 2025

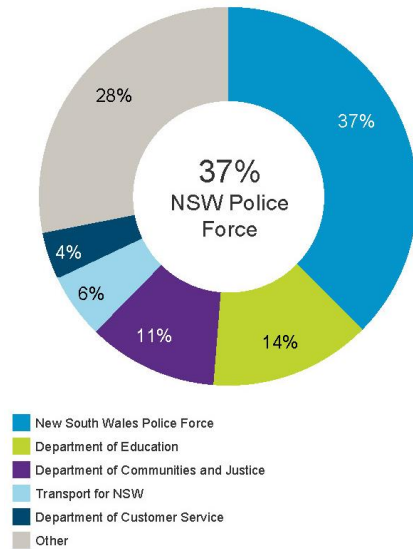
Emeritus Professor Rosalind Croucher AM
Information Commissioner and IPC CEO



information and
privacy commission
new south wales

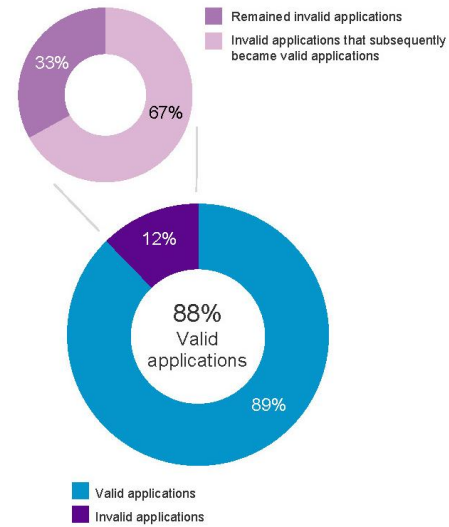
Year at a glance 2023–24

Where were applications lodged?*

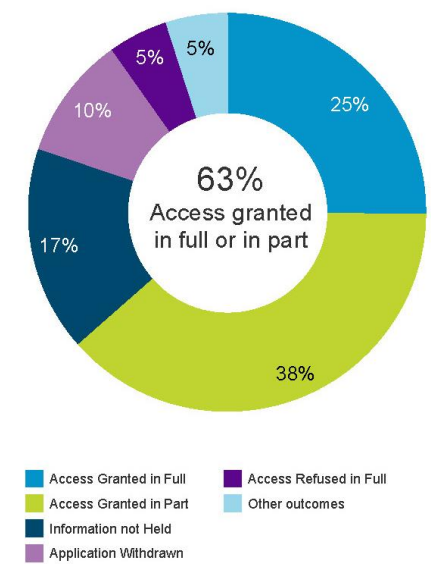
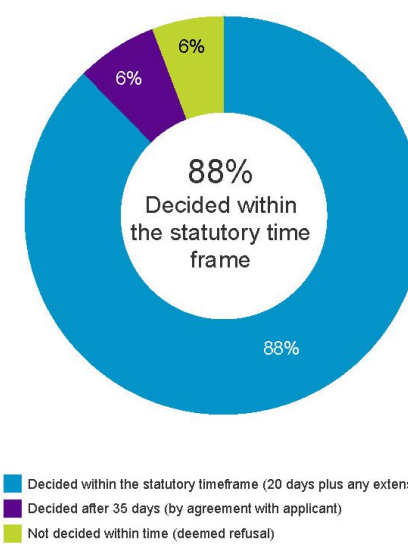


* This graph represents applications lodged to government agencies

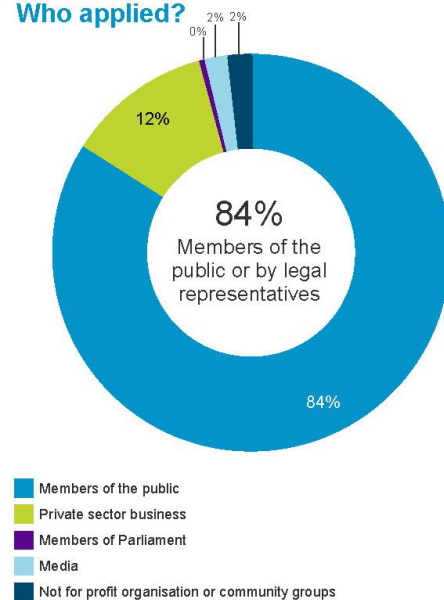
Were applications invalid?



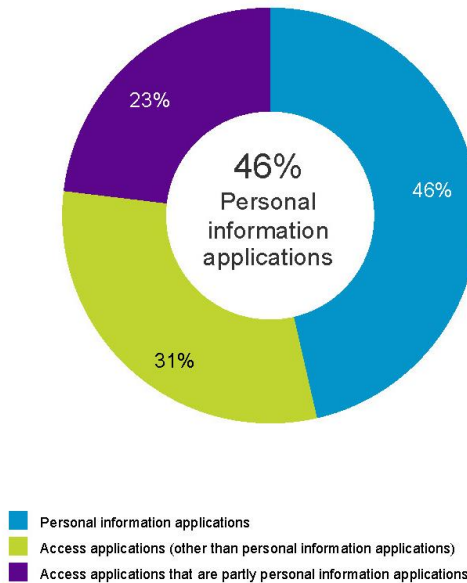
How quickly were decisions made? Did applicants get what they asked for?



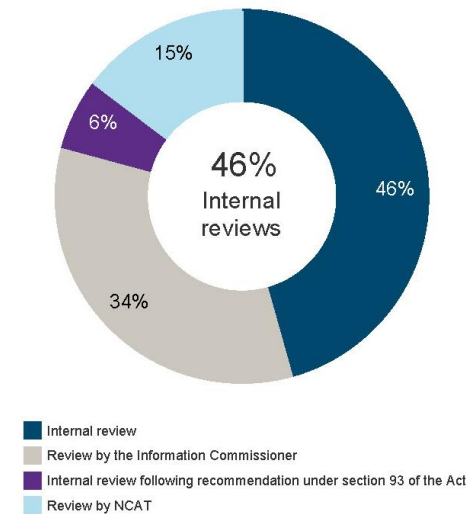
Who applied?



What was asked for?

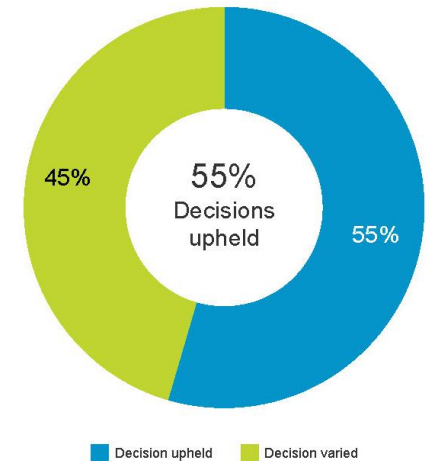


How were decisions reviewed?*



**Distribution of review by type, using best available source data (agency, IPC and NCAT data)

What were the main review outcomes?



Compliance with *Open Access* requirements

NSW Government Departments

Persistent gaps in compliance with their three *Open Access* requirements under **clause 6(2) of the GIPA Regulation**.

These include:

- major assets and acquisitions
- the total number and value of properties disposed of during the previous financial year
- the department's guarantee of service.

In 2023–24, **77% were compliant**, up from 73% in the previous year

All NSW Agencies are required to make available:

- an agency information guide
- documents tabled in parliament
- an agency's policy documents that are related to its functions
- a disclosure log of information released under formal access applications
- a register of contracts an agency has with private sector entities (\$150K or more)
- a record of Open Access Information that is not made public due to an overriding public interest against disclosure.

NSW Ombudsman Report on ADM

Key findings from the NSW Ombudsman's report: *A map of automated decision-making in the NSW Public Sector:*

There is increasing availability of information on agency websites regarding AI and ADM, however it is of limited quality

Most of the ADM systems reported through the project are currently not subject to any ADM (or AI) specific regulatory framework.

Publication of information on agency websites may, in some but not all cases, be sufficient to inform members of the public who are affected by decisions made with the support of ADM

Being able to 'see' what ADM is being used is one thing; being assured that it is being used lawfully and in accordance with good administrative practice is another

Voluntary reporting will not meet calls for a comprehensive register of ADM (and AI) systems used by the NSW government

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www.ipc.nsw.gov.au



ipcinfo@ipc.nsw.gov.au



1800 472 679



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