



## Australian Government

### Migration Review Tribunal · Refugee Review Tribunal

## INFORMATION PUBLICATION PLAN

### Introduction

The Migration Review Tribunal (the MRT) and Refugee Review Tribunal (the RRT) (the tribunals) provide an independent and final merits review of decisions made in relation to visas to travel to, enter or stay in Australia. The MRT reviews decisions made in respect of general visas (e.g. visitor, student, partner, family, business, skilled visas) and the RRT deals with decisions made in respect of protection (refugee) visas.

The tribunals are established under the *Migration Act 1958* (the Migration Act) and the tribunals' jurisdiction and powers are set out in the Migration Act and in the Migration Regulations 1994.

The tribunals have prepared this Information Publication Scheme plan (the plan) to meet the requirements of s.8 of the *Freedom of Information Act 1982* (the FOI Act) as in force from 1 May 2011.

### Purpose

The purpose of the plan is to meet the information publication requirements of the FOI Act. The FOI Act specifies that agencies must publish:

- an information publication plan;
- details of the agency's structure;
- details of the agency's functions, including its decision making powers and other powers affecting members of the public;
- details of statutory appointments to the agency;
- the agency's annual reports;
- details of consultation arrangements for members of the public to comment on specific policy proposals;
- information in documents to which the agency routinely gives access in response to requests under the FOI Act;
- information that the agency routinely provides to Parliament;
- details of an officer or officers who can be contacted about access to the agency's information or documents under the FOI Act; and
- the agency's operational information (this includes the agency's rules, guidelines, practices and precedents relating to the exercise of functions or powers in making decisions or recommendations that affect members of the public).

Agencies may publish other information they hold that falls outside the ten categories listed above. However, the scheme does not require agencies to publish information that is restricted, for example, if a document is exempt under the FOI Act or its publication is prohibited under other legislation.

## **Objectives**

The objectives of the plan are to outline how the tribunals will:

- manage the information relevant to the IPS;
- identify and publish all information required to be published;
- review and ensure on a regular basis that information published under the IPS is accurate, up-to date and complete;
- ensure that the format of online content conforms with the Web Content Accessibility Guidelines (Version 2) (WCAG 2.0);
- review and measure the tribunals' success and compliance with the IPS.

## **Establishing an IPS**

To facilitate public consultation during the planning and development stage, the tribunals:

- wrote to Community Liaison members informing them of the IPS;
- published a draft plan on its website for public comment on 1 April 2011;
- advised external stakeholders of the plan at the April Community Liaison meetings in Victoria and New South Wales; and
- submitted the plan to the Australian Information Commissioner (AIC) for comment on 29 April 2011.

The tribunals envisage that this plan will not be a static document but rather, will continue to evolve after it is published on 1 May 2011.

The tribunals intend to publish documents in accordance with its obligations under the FOI Act and any directions or guidelines issued by the AIC. The tribunals are working towards compliance with WCAG 2.0 however, to the extent that this is not feasible by 1 May 2011, the tribunals will offer alternative formats. The tribunals will publish its IPS information on its website in accordance with the annexed timetable.

For the purposes of identifying information required to be published under the IPS, the tribunals will:-

- audit documents currently published on its website;

- create a list of documents which may be subject to the IPS (including those not already published on its website); and
- identify any documents which may be subject to the IPS that are not accurate, up to date or complete.

These actions will ensure that the IPS documents are accurate and up to date. The documents will be identified and published in stages.

Consideration is being given to the appropriate period of time that information should be available on the tribunals' website.

### **Information architecture**

The tribunals will publish information on its website. Consideration will be given to information published on other websites and the layout of the IPS information on the tribunals' website. Consideration will also be given to the conditions under which information is published and whether it may be appropriate to restrict the publication of certain information.

### **Information required to be published**

The tribunals will publish the information required under s.8 of the FOI Act, or include the information in a list of documents which are impracticable to publish online, on its website.

The tribunals will maintain an FOI Disclosure Log on its website which will include details of documents released in response to FOI requests, except for documents which contain:

- personal information about any person, if it would be unreasonable to publish the information (for example, case files in relation to applicants to the MRT and RRT);
- information about the business, commercial, financial or professional affairs of any person, if it would be unreasonable to publish the information;
- other information that the AIC has determined would be unreasonable to publish;
- any information, if it is not reasonably practicable to publish the information because of the extent of any modifications to a document (or documents) necessary to delete information mentioned in the preceding paragraphs.

Documents listed in the FOI Disclosure Log will be available by request.

The tribunals may charge a person for accessing any IPS document which it is impracticable to publish online:

- at the lowest reasonable cost
- to reimburse specific reproduction costs or other specific incidental costs.

The tribunals will generally not impose a charge where the reimbursement or incidental cost would be lower than \$100.00.

## **Optional information**

The tribunals already publish information in addition to the requirements of the IPS, such as tribunal decisions and statistics, and intend to continue to do so.

## **Administering the IPS**

The tribunals intend to continue to meet its IPS obligations by appointing an officer responsible for coordinating the tribunals IPS; appointing contact persons; developing policies and procedures and providing training to staff in respect to IPS requirements; appointing people to undertake particular IPS functions; and establishing a central email address for FOI enquiries.

The tribunals will enhance its records management plans and policies, over time, as part of its compliance with the IPS.

The tribunals will review and revise this plan periodically as part of its usual reporting, review and audit processes. The tribunals may decide to invite public comment from stakeholders and the public as part of such reviews.

The tribunals will review the operation of its IPS, in conjunction with the AIC from time to time and at least every five years, in accordance with s.9(1) and any guidelines issued by the AIC about IPS compliance review. Consideration will be given to the criteria for measuring the tribunals' success in complying with the IPS requirements.

## Annexure

### Timetable

No.	Description	Category	Format	Estimated completion date
1.	Update mandatory web pages and publish	All documents required to be published under s.8	RTF, PDF and HTML	May 2011.
2.	Disclosure log	Required under s.11C	HTML, PDF	May 2011 (basic version).
3.	Upgrade web software so all web pages are searchable and compliant with WCAG 2.0	Compliance with WCAG 2.0	HTML	December 2011.