



Queensland

*Right to Information Act 2009*

# Right to Information Regulation 2025

Current as at 1 July 2025

## **Warning**

Some provisions of this legislation are not in operation. These provisions are italicised. For details, see the List of legislation in the Legislative history.

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## Queensland

# Right to Information Regulation 2025

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# Right to Information Regulation 2025

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Right to Information Regulation 2025*.

### 2 Commencement

- (1) This regulation, other than sections 16 and 17 and part 8, commences on 1 July 2025.
- (2) Sections 16 and 17 and part 8 commence on 1 July 2026.

### 3 Definitions

The dictionary in schedule 4 defines particular words used in this regulation.

## Part 2 Requirements for evidence of identity

### 4 Evidence of identity—Act, sch 5, definition *evidence of identity*

- (1) For schedule 5 of the Act, definition *evidence of identity*, the evidence of identity prescribed for a person is a document that could reasonably be accepted to be evidence of the person's identity.
- (2) A document that could reasonably be accepted to be evidence of a person's identity may include, for example—
  - (a) a passport or a certified copy of the passport; or

- (b) a birth certificate or a certified copy of the birth certificate; or
- (c) a relevant authority in the form of a card or a certified copy of the relevant authority; or
- (d) an electronic PDF document of a relevant authority created using the approved app under the *Transport Planning and Coordination Act 1994*; or
- (e) a digital authority for a relevant authority displayed to an agency or Minister under the *Transport Planning and Coordination Act 1994*, section 29AI(2); or
- (f) a statutory declaration from an individual who has known the person for at least 1 year; or
- (g) if the person is a prisoner within the meaning of the *Corrective Services Act 2006*—a copy of the person's identity card from the department administering that Act that is certified by a corrective services officer within the meaning of that Act.

(3) In this section—

***certified copy***, of a document, means a copy of the document that is certified by a qualified witness as being a correct copy of the document.

***pharmacist*** means a person registered under the Health Practitioner Regulation National Law to practise in the pharmacy profession, other than as a student.

***qualified witness*** means—

- (a) a lawyer or notary public; or
- (b) a commissioner for declarations; or
- (c) a justice of the peace; or
- (d) a pharmacist.

***relevant authority*** means—

- (a) a driver licence; or

- (b) a photo identification card under the *Photo Identification Card Act 2008*; or
- (c) a personal watercraft licence or recreational marine driver licence granted under the *Transport Operations (Marine Safety) Regulation 2016*, section 61.

## Part 3 Fees and charges

### 5 Rounding of amounts expressed as numbers of fee units

- (1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.
- (2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—
  - (a) if the result is not more than \$100—to the nearest multiple of 5 cents (rounding one-half upwards); or
  - (b) if the result is more than \$100 but not more than \$1,000—to the nearest multiple of 10 cents (rounding one-half upwards).

*Example—*

If a fee were 35 fee units and the value of a fee unit were \$1.015, the number of dollars obtained by multiplying 35 by \$1.015 would be \$35.525. Because \$35.525 is halfway between \$35.50 and \$35.55, it is rounded upwards, so the amount of the fee would be \$35.55.

### 6 Amount of application fee—Act, sch 5, definition *application fee*

For schedule 5 of the Act, definition *application fee*, the application fee is 52.60 fee units.

*Note—*

No application fee is payable for a personal access application—see section 24(5) of the Act.

## 7 Amount of processing charge—Act, s 56

- (1) For section 56 of the Act, the charge for processing an access application for a document is—
- (a) if the agency or Minister spends no more than 5 hours processing the application—nil; or
  - (b) if the agency or Minister spends more than 5 hours processing the application—8.15 fee units for each 15 minutes or part of 15 minutes spent processing the application.

### *Examples—*

- 1 If the agency or Minister spends 3 hours processing an access application for a document, there is no processing charge.
- 2 If the agency or Minister spends 6 hours processing an access application for a document, the processing charge is—

$$\frac{6 \text{ hours} \times 60 \text{ (to convert to minutes)}}{15 \text{ (to determine the number of 15 minute blocks)}} \times 8.15 \text{ fee units}$$

### *Note—*

No processing charge is payable in relation to a document containing personal information of the applicant—see section 59 of the Act.

- (2) Subsection (3) applies if the document is not found in the place where, according to the filing system of the agency or of the office of the Minister (the ***relevant filing system***), the document ought to be located.
- (3) Any time spent by the agency or Minister in searching for or retrieving the document (other than the time that would have been spent by the agency or Minister in searching for or retrieving the document, if the document had been found in the place mentioned in subsection (2)) is to be disregarded in calculating the charge under subsection (1).
- (4) Also, subsection (5) applies if the relevant filing system ought reasonably to have indicated, but does not indicate, the place where the document is located.
- (5) Any time spent by the agency or Minister in searching for or retrieving the document (other than the time that would have been spent by the agency or Minister in searching for or



retrieving the document, if the relevant filing system had indicated the place where the document is located and the document had been found in that place) is to be disregarded in calculating the charge under subsection (1).

(6) In this section—

***processing***, for an access application for a document, means—

- (a) searching for or retrieving the document; and
- (b) making, or doing things related to making, a decision on the application.

## **8 Amount of access charge—Act, s 57**

(1) For section 57 of the Act, the charge in relation to giving access to a document is the total of—

- (a) the actual cost incurred by the agency or Minister for any of the following—
  - (i) any engagement of another entity to search for and retrieve the document;
  - (ii) any relocation of the document necessary to allow access to be given to the document;

*Example—*

A document may be transported from Cairns to Brisbane to give access to an applicant who lives in Brisbane.

- (iii) any written transcript of the words recorded or contained in a document mentioned in section 68(1)(d) of the Act;
  - (iv) any creation of a written document mentioned in section 68(1)(e) of the Act;
  - (v) otherwise giving access to the document (except by giving the applicant a black-and-white copy of the document in A4 size), including, for example, by the reproduction of the document; and

*Examples for subparagraph (v)—*

- a fee payable for copying an X-ray
  - a fee payable for reproducing a duplicate document created using licensed software
- (b) if the applicant is given a black-and-white copy of the document in A4 size—0.25 fee units for each page.
- (2) The charge calculated under subsection (1) for a document must not include the cost of—
- (a) if access to the document is given by emailing the document to the applicant—the email; or
- (b) if access to the document is given by giving the document to the applicant on a disc—the disc.

## **Part 4                      Requirements for annual reports**

### **9                      Report to Speaker and parliamentary committee on operations of OIC—Act, s 184**

- (1) For section 184(3) of the Act, the matters stated in schedule 1 are prescribed.
- (2) For each matter mentioned in schedule 1, items 2(c) and 3(c), the details of the matter must not include details identifying the particular agencies or Ministers to which the matter relates.

### **10                    Report to Assembly on Act's operation—Act, s 185**

For section 185(2) of the Act, the matters stated in schedule 2 are prescribed.

## Part 5 Declarations

### 11 Public authority—Act, s 16A

For section 16A(1) of the Act, the Bar Association of Queensland ACN 009 717 739 is declared to be a public authority, but in relation to only the public functions given to the association under an Act.

*Examples of public functions given to the Bar Association of Queensland under an Act—*

the functions given to the association as a regulatory authority under the *Legal Profession Act 2007*

### 12 Principal office—Act, sch 5, definition *principal officer*

For schedule 5 of the Act, definition *principal officer*, paragraph (e), for each public authority stated in column 1 of the table in schedule 3, the office stated in column 2 is declared to be the principal office for the public authority.

## Part 6 Repeal

### 13 Repeal

The Right to Information Regulation 2009, SL No. 134 is repealed.

## Part 7 Transitional provisions

### 14 Continuation of s 7 of repealed regulation for report relating to 2024–2025 financial year

- (1) This section applies in relation to a report under section 184(2) of the Act relating to the 2024–2025 financial year.

- (2) Section 7 of the repealed *Right to Information Regulation 2009* continues to apply in relation to the report as if this regulation had not been made.
- (3) Section 9 as in force from the commencement does not apply in relation to the report.

**15 Continuation of s 8 of repealed regulation for report relating to 2024–2025 financial year**

- (1) This section applies in relation to a report under section 185(1) of the Act relating to the 2024–2025 financial year.
- (2) Section 8 of the repealed *Right to Information Regulation 2009* continues to apply in relation to the report as if this regulation had not been made.
- (3) Section 10 as in force from the commencement does not apply in relation to the report.

**16 Continuation of former sch 1 for report relating to 2025–2026 financial year**

- (1) *This section applies in relation to a report under section 184(2) of the Act relating to the 2025–2026 financial year.*
- (2) *Schedule 1 as in force before the commencement continues to apply in relation to the report as if the amendment of the schedule by this regulation had not been made.*
- (3) *Schedule 1 as in force from the commencement does not apply in relation to the report.*

**17 Continuation of former s 10 and sch 2 for report relating to 2025–2026 financial year**

- (1) *This section applies in relation to a report for a financial year to which section 206R of the Act applies.*
- (2) *To remove any doubt, it is declared that—*

- (a) *section 10 and schedule 2 as in force before the commencement continue to apply in relation to the report as if the amendment of the section and schedule by this regulation had not been made; and*
- (b) *section 10 and schedule 2 as in force from the commencement do not apply in relation to the report.*

## **Part 8                      Amendment of this regulation**

### **18        Regulation amended**

*This part amends this regulation.*

### **19        Replacement of s 10 (Report to Assembly on Act's operation—Act, s 185)**

*Section 10—*

*omit, insert—*

#### **10    Report to Assembly on Act's operation—Act, s 185**

- (1) *For section 185(1) of the Act, information relating to an agency or Minister about the matters stated in schedule 2 is prescribed.*
- (2) *For section 185(3) of the Act, the matters stated in schedule 2 are prescribed.*

### **20        Amendment of sch 1 (Report to Speaker and parliamentary committee on operations of OIC)**

(1) *Schedule 1, item 2—*

*insert—*

*(fa) for each agency or Minister—*

- (i) *the number of external review applications made in relation to a decision of the agency or Minister; and*
  - (ii) *the number of external review applications where there was no preceding internal review application to the agency or Minister; and*
  - (iii) *for each of section 110(1)(a), (b) and (c) of the Act—the number of decisions on external review made under the paragraph;*
- (2) *Schedule 1, item 2(g), ‘to (f)’—  
omit, insert—  
to (g)*
- (3) *Schedule 1, item 2(fa) and (g)—  
renumber as schedule 1, item 2(g) and (h).*
- (4) *Schedule 1, item 3—  
insert—  
(f) for each agency or Minister—
  - (i) *the number of external review applications made in relation to a decision of the agency or Minister; and*
  - (ii) *the number of external review applications where there was no preceding internal review application to the agency or Minister; and*
  - (iii) *for each of section 110(1)(a), (b) and (c) of the Act—the number of decisions on external review made under the paragraph**

**21 Amendment of sch 2 (Report to Assembly on Act's operation)**

- (1) *Schedule 2, item 2(c), 'refusals of access'—*  
*omit, insert—*  
*considered decisions for access applications in*  
*which access to a document was refused in part or*  
*in full*
- (2) *Schedule 2, item 2(i) to (k)—*  
*omit.*
- (3) *Schedule 2, item 2(m), 'to (l)'—*  
*omit.*
- (4) *Schedule 2, item 2(l) and (m)—*  
*renumber as schedule 2, item 2(i) and (j).*
- (5) *Schedule 2, item 3(h) to (j)—*  
*omit.*
- (6) *Schedule 2, item 4(c)—*  
*omit.*

## **Schedule 1      Report to Speaker and parliamentary committee on operations of OIC**

### section 9

- 1 for applications for external review of decisions relating to continued access applications—the matters mentioned in the repealed *Right to Information Regulation 2009*, section 7(b) to (d)
- 2 for applications for external review of decisions relating to access applications other than continued access applications—the following matters—
  - (a) the number of external review applications reviewed by the information commissioner;
  - (b) the number of external review applications, or parts of external review applications, the information commissioner decided not to deal with, or not to further deal with, under section 94 of the Act and the ground for each decision;
  - (c) the number of notices given by the information commissioner under section 103 of the Act, including—
    - (i) the number of notices given under section 103(1) of the Act; and
    - (ii) the number of notices given under section 103(3) of the Act;
  - (d) the number of times the information commissioner referred a document to an agency or Minister under section 105A(2) of the Act;
  - (e) for each paragraph of section 110(1) of the Act—the number of decisions on external review made under the paragraph;



- (f) if a decision on external review results in access to a document being refused—the particular provision of the Act under which access was refused;
  - (g) for each matter mentioned in paragraphs (a) to (f)—
    - (i) the number of personal access applications to which the matter relates; and
    - (ii) the number of non-personal access applications to which the matter relates
- 3 for applications for external review of decisions relating to amendment applications—the following matters—
  - (a) the number of external review applications reviewed by the information commissioner;
  - (b) the number of external review applications, or parts of external review applications, the information commissioner decided not to deal with, or not to further deal with, under section 94 of the Act and the ground for each decision;
  - (c) the number of notices given by the information commissioner under section 103 of the Act, including—
    - (i) the number of notices given under section 103(1) of the Act; and
    - (ii) the number of notices given under section 103(3) of the Act;
  - (d) for each paragraph of section 110(1) of the Act—the number of decisions on external review made under the paragraph;
  - (e) if a decision on external review results in amendment of a document being refused—the particular provision of the Act under which amendment was refused
- 4 the following other matters—
  - (a) the number of applications by non-profit organisations for financial hardship status under section 67 of the Act;

Schedule 1

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- (b) the number of applications made under section 114 of the Act for a declaration that a person is a vexatious applicant;
- (c) the number of declarations made under section 114 of the Act by the information commissioner, including—
  - (i) the number of the declarations made on the commissioner's own initiative; and
  - (ii) the number of the declarations made on application;
- (d) the number of applications for extension of the 10 year period made to the information commissioner under schedule 4, part 4, section 1 of the Act and the commissioner's decision for each application

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## Schedule 2      Report to Assembly on Act's operation

### section 10

- 1 for continued access applications—the matters mentioned in the repealed *Right to Information Regulation 2009*, section 8(1)(a) to (h) and (j)
- 2 for access applications other than continued access applications—the following matters for each agency or Minister—
  - (a) the number of valid access applications made to the agency or Minister;
  - (b) for each of sections 40, 41 and 43 of the Act—the number of refusals to deal with an access application under the section;
  - (c) for each paragraph of section 47(3) of the Act—the number of refusals of access under the paragraph;
  - (d) the number of documents included in a disclosure log under section 78A of the Act;
  - (e) the number of deemed decisions under section 46 of the Act;
  - (f) the number of internal review applications made to the agency or Minister;
  - (g) for each internal review application resulting in a considered decision on internal review, whether the decision was different from the decision subject to internal review and, if so, how it was different;
  - (h) the number of decisions on internal review taken to have been made under section 83(2) of the Act;
  - (i) the number of external review applications made in relation to a decision of the agency or Minister;

Schedule 2

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- (j) the number of external review applications where there was no preceding internal review application to the agency or Minister;
  - (k) for each of section 110(1)(a), (b) and (c) of the Act—the number of decisions on external review made under the paragraph;
  - (l) the amount of fees and charges received under the Act;
  - (m) for each matter mentioned in paragraphs (a) to (c) and (i) to (l)—
    - (i) the number of personal access applications to which the matter relates; and
    - (ii) the number of non-personal access applications to which the matter relates
- 3 for amendment applications—the following matters for each agency or Minister—
  - (a) the number of valid amendment applications made to the agency or Minister;
  - (b) for each of sections 78N and 78P of the Act—the number of refusals to deal with an amendment application under the section;
  - (c) the number of refusals of amendment under each provision of the Act under which amendment was refused;
  - (d) the number of deemed decisions under section 78R of the Act;
  - (e) the number of internal review applications made to the agency or Minister;
  - (f) for each internal review application resulting in a considered decision on internal review, whether the decision was different from the decision subject to internal review and, if so, how it was different;
  - (g) the number of decisions on internal review taken to have been made under section 83(2) of the Act;

- (h) the number of external review applications made in relation to a decision of the agency or Minister;
  - (i) the number of external review applications where there was no preceding internal review application to the agency or Minister;
  - (j) for each of section 110(1)(a), (b) and (c) of the Act—the number of decisions on external review made under the paragraph
- 4 the following other matters—
- (a) any disciplinary action taken against an officer in relation to the administration of the Act;
  - (b) any proceedings brought for an offence against section 175(1) or (3) of the Act;
  - (c) anything else an agency or Minister did to further the object of the Act

## Schedule 3      Declared principal offices for public authorities

section 12

Column 1	Column 2
Public authority	Declared principal office
the Supreme Court of Queensland	the principal registrar of the Supreme Court of Queensland
the District Court of Queensland	the principal registrar of the District Court of Queensland
a Magistrates Court	the principal registrar of Magistrates Courts
the Industrial Court of Queensland	the registrar under the <i>Industrial Relations Act 2016</i>
the Land Court	the registrar of the Land Court
the Mental Health Court	the registrar of the Mental Health Court
the Childrens Court of Queensland constituted by a Childrens Court judge	the principal registrar of the District Court of Queensland
the Planning and Environment Court	the principal registrar of the District Court of Queensland
the Childrens Court of Queensland constituted by a Childrens Court magistrate	the principal registrar of Magistrates Courts
the Coroners Court	the executive director of the Coroners Court
an Industrial Magistrates Court	the registrar under the <i>Industrial Relations Act 2016</i>

Column 1	Column 2
Public authority	Declared principal office
QCAT	the principal registrar under the QCAT Act
the Queensland Industrial Relations Commission	the registrar under the <i>Industrial Relations Act 2016</i>
the Mental Health Review Tribunal	the executive officer of the Mental Health Review Tribunal under the <i>Mental Health Act 2016</i>
a development tribunal under the <i>Planning Act 2016</i>	the registrar under the <i>Planning Act 2016</i>
a medical assessment tribunal under the <i>Workers' Compensation and Rehabilitation Act 2003</i>	the secretary appointed to the medical assessment tribunal under the <i>Workers' Compensation and Rehabilitation Act 2003</i> , section 496(a)
the Queensland Independent Remuneration Tribunal	the chairman under the <i>Queensland Independent Remuneration Tribunal Act 2013</i>
the Office of the Ombudsman under the <i>Ombudsman Act 2001</i>	the ombudsman, as the ombudsman and the inspector of detention services, under the <i>Ombudsman Act 2001</i>
Central Queensland University	the vice-chancellor of Central Queensland University
Griffith University	the vice-chancellor of Griffith University
James Cook University	the vice-chancellor of James Cook University
Queensland University of Technology	the vice-chancellor of the Queensland University of Technology

Schedule 3

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<b>Column 1</b>	<b>Column 2</b>
<b>Public authority</b>	<b>Declared principal office</b>
The University of Queensland	the vice-chancellor of The University of Queensland
University of Southern Queensland	the vice-chancellor of the University of Southern Queensland
University of the Sunshine Coast	the vice-chancellor of the University of the Sunshine Coast



## Schedule 4      Dictionary

### section 3

***continued access application*** means an application mentioned in section 206K(1) of the Act.

***non-personal access application*** means an access application other than a personal access application.

***personal access application*** means an access application if the only document applied for contains personal information of the applicant.

***valid access application*** means an access application that complies with section 24(2) of the Act.

***valid amendment application*** means an amendment application that complies with section 78E(4) of the Act.