

1 December 2020

Our ref: 211-0404

Mr N Aziz

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Dear N Aziz

I refer to your email dated 24 November 2020, in which you have requested access to the following information from Transport for NSW (TfNSW):

“How many informal requests for information were made to TfNSW in each of the last two years and what number were

- (1) released in full*
- (2) partly released or*
- (3) refused.*

What is the breakdown of the numbers by transport agency that received the request (e.g. Ferries, Buses, Trains).”

TfNSW and the transport agencies release a large amount of information informally through its internet web pages, public forums, community engagement and a range of travel apps. Accordingly, it is not possible to provide a definitive number of times that information is released across the transport agencies.

If your request is in respect of informal release under the *Government Information (Public Access) Act 2009* (GIPA Act), I note that section 10 of that Act provides:

- (1) This Act is not intended to prevent or discourage the publication or giving of access to government information as permitted or required by or under any other Act or law that enables a member of the public to obtain access to government information.*

The GIPA Act does however specifically authorise an agency to release government information to a person in response to an informal request by the person. Section 8 of the GIPA Act provides:

8 Informal release of government information

- (1) An agency is authorised to release government information held by it to a person in response to an informal request by the person (that is, a request that is not an access application) unless there is an overriding public interest against disclosure of the information.*
- (2) An agency can release government information in response to an informal request subject to any reasonable conditions that the agency thinks fit to impose.*
- (3) An agency cannot be required to disclose government information pursuant to an informal request and cannot be required to consider an informal request for government information.*

- (4) *An agency can decide by what means information is to be released in response to an informal request.*
- (5) *An agency can facilitate public access to government information contained in a record by deleting matter from a copy of the record to be released in response to an informal request if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record.*
- (6) *The functions of an agency under this section may only be exercised by or with the authority (given either generally or in a particular case) of the principal officer of the agency.*

For the purposes of the GIPA Act, 'government information' means 'information contained in a record held by an agency' and does not include 'the knowledge of a person' (see sections 4 and clause 10(3) of Schedule 1 of the GIPA Act.

Decision

I confirm that I am authorised to release government information to you for the purposes of section 8(6) of the GIPA Act.

While statistics about the numbers of informal releases is not required to be recorded under the GIPA Act, I am able to provide some of the information that you have requested by creating a new record. Please see below.

Requested Statistical Data	25 Nov 2018 – 25 Nov 2019	26 Nov 2019 – 25 Nov 2020
How many informal requests for information were made to TfNSW in each of the last two years	675	979

Breakdown by agency	25 Nov 2018 – 25 Nov 2019	26 Nov 2019 – 25 Nov 2020
Transport for NSW	169	708
Sydney Trains	234	172
Sydney Buses	65	58
Sydney Metro	6	26
NSW Trains	21	10
Point to Point	1	5

TfNSW does not record statistics for whether the information is released, partially released or refused and, accordingly, I have decided not to release this information as it is not readily available from our database.

I have decided not to place any restrictions conditions on the release of this information.

Please contact me if you have any queries in relation to this matter.

Kind Regards

Enza Kursun

Manager, Information Access