



Queensland

# **Freedom of Information Amendment Act 2004**

**Act No. 22 of 2004**





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# Freedom of Information Amendment Act 2004

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# **Freedom of Information Amendment Act 2004**

## **Act No. 22 of 2004**

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**An Act to amend the *Freedom of Information Act 1992***

**[Assented to 13 September 2004]**

**The Parliament of Queensland enacts—****1 Short title**

This Act may be cited as the *Freedom of Information Amendment Act 2004*.

**2 Act amended**

This Act amends the *Freedom of Information Act 1992*.

**3 Insertion of new s 47A**

After section 47—

*insert—*

**‘47A Matter relating to investment incentive scheme**

‘(1) Matter is exempt matter if its disclosure could reasonably be expected to disclose information about—

- (a) a particular incentive given to or arranged for a relevant person under an investment incentive scheme; or
- (b) an incentive sought by or proposed for a relevant person whether or not an incentive was, in fact, given to or arranged for the relevant person under an investment incentive scheme.

‘(2) In this section—

**department** means the department in which the *State Development and Public Works Organisation Act 1971* is administered.

**incentive** includes any of the following—

- (a) an amount that is a refund of all or part of an amount paid as a tax, fee or charge;
- (b) another amount, whether as a lump sum or by instalments;
- (c) a benefit that is not an amount mentioned in paragraph (a) or (b).

***investment incentive scheme*** means a written scheme to promote projects by providing incentives, that includes processes for assessing an application under the scheme and is administered by the department.

***project*** means a project or proposed project that involves investing or spending money, or the continued investing or spending of money, and is intended to create job opportunities or to continue existing jobs.

***relevant person*** means a person to the extent the person is or was any 1 or more of the following—

- (a) a person who inquires of, or enters into discussions with, the department or a public service employee about an incentive for a project, whether or not the person makes an application under an investment incentive scheme for an incentive;
- (b) a person who makes an application under an investment incentive scheme, whether or not the person is given an incentive;
- (c) a person who is given an incentive for a project, whether or not the person continues to be subject to a provision of an agreement about the incentive that allows the department to monitor the person or project.’.