

OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER

Section 1: Entity overview and resources

1.1 STRATEGIC DIRECTION STATEMENT

The Office of the Australian Information Commissioner (OAIC) is an Australian Government entity established under the *Australian Information Commissioner Act 2010*.

The functions of the OAIC are:

- Information Commissioner functions – performing strategic functions relating to information management in the Australian Government;
- privacy functions – particularly ensuring proper handling of personal information in accordance with the *Privacy Act 1988* and other legislation;
- freedom of information (FOI) functions – particularly protecting the public’s right of access to documents under the *Freedom of Information Act 1982*.

In 2019-20, the major areas of focus for the OAIC will be:

- implementing and regulating the Consumer Data Right scheme, including performing regulatory functions and working with the Australian Competition and Consumer Commission;
- developing rules for digital platforms and implementing enforcement powers to ensure that personal information is handled in a way that is transparent, secure and accountable;
- developing the privacy management capabilities of Australian Government agencies and businesses, and promoting privacy best practice;
- developing the FOI capabilities of Australian Government agencies and ministers, promoting FOI best practice and engaging with the Open Government Partnership.

1.2 ENTITY RESOURCE STATEMENT

Table 1.1 shows the total funding from all sources available to the OAIC for its operations and to deliver programs and services on behalf of the government.

Table 1.1 is presented on a resourcing (appropriations and cash available) basis, while the budgeted expenses for Outcome 1 table in section 2 and the financial statements in section 3 are presented on an accrual basis.

Table 1.1: Entity resource statement – Budget estimates for 2019-20 as at Budget April 2019

	2018-19 (a) Estimated actual \$'000	2019-20 Estimate \$'000
DEPARTMENTAL		
Annual appropriations – ordinary annual services (b)		
Prior year appropriations available	3,462	4,010
Departmental appropriation	13,825	20,941
s74 External Revenue (c)	2,337	178
Annual appropriations – other services – non-operating (d)		
Equity injection	860	2,000
Total departmental annual appropriations	20,484	27,129
Total departmental resourcing	20,484	27,129
Total resourcing for entity	20,484	27,129
	2018-19	2019-20
Average staffing level (number)	93	124

Prepared on a resourcing (appropriations available) basis.

Note: All figures shown above are GST exclusive and may not match figures in the cash flow statement.

(a) Annual appropriation amounts appearing for 2018-19 do not include the Appropriation Bills (No. 3 and 4) 2018-19 as they had not been enacted at the time of publication.

(b) Appropriation Bill (No. 1) 2019-20.

(c) Estimated External Revenue receipts under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

(d) Appropriation Bill (No. 2) 2019-20.

1.3 BUDGET MEASURES

Budget measures announced since the 2018-19 Mid-Year Economic and Fiscal Outlook (MYEFO) relating to the OAIC are detailed in Budget Paper No. 2 and summarised in Part 1 of Table 1.2.

Table 1.2: Entity 2019-20 Budget measures

Part 1: Measures announced since the 2018-19 Mid-Year Economic and Fiscal Outlook (MYEFO)

Program	2018-19 \$'000	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000
Expense measures					
Guaranteeing Medicare – improving quality and safety through stronger compliance (a)	1.1				
Departmental expenses	–	–	–	–	–
Office of the Australian Information Commissioner – additional resourcing	1.1				
Departmental expenses	–	7,734	7,887	7,500	–
Total expense measures	–	7,734	7,887	7,500	–
Capital measures					
Office of the Australian Information Commissioner – additional resourcing					
Departmental capital	–	2,000	–	–	–
Total capital measures	–	2,000	–	–	–

Prepared on a Government Finance Statistics (fiscal) basis.

Note: Figures displayed as a negative represent a decrease in funds and figures displayed as a positive represent an increase in funds.

(a) The lead entity for this measure is the Department of Health. The full measure description and package details appear in Budget Paper No. 2 under the Health portfolio. This measure provides funding of \$0.329m in 2018-19, \$0.571m in 2019-20, \$0.565m in 2020-20, \$0.560m in 2021-22 and \$0.560m in 2022-23.

Part 2: Other measures not previously reported in a portfolio statement

The OAIC has no new measures not previously reported in a portfolio statement.

Section 2: Outcomes and planned performance

Government outcomes are the intended results, impacts or consequences of actions by the government on the Australian community. Commonwealth programs are the primary vehicle by which government entities achieve the intended results of their outcome statements. Entities are required to identify the programs that contribute to government outcomes over the budget and forward years.

The OAIC's outcome is described below together with its related program.

Note

Performance reporting requirements in the Portfolio Budget Statements are part of the enhanced Commonwealth performance framework established by the *Public Governance, Performance and Accountability Act 2013*. It is anticipated the performance criteria described in Portfolio Budget Statements will be read with broader information provided in an entity's corporate plans and annual performance statements – included in annual reports – to provide an entity's complete performance story.

The most recent corporate plan for OAIC can be found at:
<https://www.oaic.gov.au/corporateplan>

The most recent annual performance statement can be found at:
<https://www.oaic.gov.au/annualreport>

2.1 BUDGETED EXPENSES AND PERFORMANCE FOR OUTCOME 1

Outcome 1: Provision of public access to Commonwealth Government information, protection of individuals' personal information, and performance of information commissioner, freedom of information and privacy functions.

Budgeted expenses for Outcome 1

Table 2.1.1 shows how much OAIC intends to spend (on an accrual basis) on achieving Outcome 1, broken down by program and departmental funding sources.

Table 2.1.1: Budgeted expenses for Outcome 1

	2018-19 Estimated actual \$'000	2019-20 Budget \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
Program 1.1: Complaint handling, compliance and monitoring, and education and promotion					
Departmental expenses					
Departmental appropriation	13,825	20,941	21,000	20,685	13,271
s74 External Revenue (a)	2,337	178	178	-	-
Expenses not requiring appropriation in the budget year (b)	432	332	322	322	322
Departmental total	16,594	21,451	21,500	21,007	13,593
Total expenses for Outcome 1	16,594	21,451	21,500	21,007	13,593

	2018-19	2019-20
Average staffing level (number)	93	124

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

(a) Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

(b) Expenses not requiring appropriation in the budget year are made up of depreciation expenses, amortisation expenses and audit fees.

Performance criteria for Outcome 1

Table 2.1.2 below details the performance criteria for each program associated with Outcome 1. It also summarises how each program is delivered. The OAIC’s 2019-20 corporate plan will outline the OAIC’s strategies for achieving its purpose and comprehensive performance measures.

Table 2.1.2: Performance criteria for Outcome 1

Outcome 1: Provision of public access to Commonwealth Government information, protection of individuals’ personal information, and performance of information commissioner, freedom of information and privacy functions.		
Program 1.1: Complaint handling, compliance and monitoring, and education and promotion.		
Delivery	<ul style="list-style-type: none"> • Providing privacy complaint handling and FOI review and complaints services for the public. • Conducting assessments and investigations, and handling data breach notifications. • Developing the privacy and information access management capabilities of Australian Government agencies. • Developing the privacy management capabilities of businesses. • Promoting awareness and understanding of privacy and information access rights in the community, including the production of educational materials and a public information service. • Developing legislative instruments that are in the public interest. 	
Performance information		
Year	Performance criteria	Targets
2018-19	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months (on track to meet target).
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months (on track to meet target).
	Handling data breach notifications (DBNs).	80% of DBNs are finalised within 60 days (on track to meet target). 80% of My Health Record DBNs are finalised within 60 days (on track to meet target).
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months (on track to meet target).
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months (not on track to meet target).
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months (n/a).

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1 (continued): Complaint handling, compliance and monitoring, and education and promotion.		
Performance information		
Year	Performance criteria	Targets
2018-19 (continued)	Providing a public information service.	90% of written enquiries are finalised within 10 days (on track to meet target).
2019-20	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months.
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months
	Handling data breach notifications (DBNs).	80% of DBNs are finalised within 60 days. 80% of My Health Record DBNs are finalised within 60 days.
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months.
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months.
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months.
	Providing a public information service.	90% of written enquiries are finalised within 10 working days.
2020-21	Handling privacy complaints.	80% of privacy complaints are finalised within 12 months.
	Conducting Privacy Commissioner-initiated investigations (CIIs).	80% of privacy CIIs are finalised within eight months.
	Handling data breach notifications (DBNs).	80% of voluntary DBNs are finalised within 60 days. 80% of My Health Record DBNs are finalised within 60 days.
	Providing an Information Commissioner review function.	80% of Information Commissioner reviews are completed within 12 months.
	Handling FOI complaints.	80% of FOI complaints are finalised within 12 months.
	Conducting FOI Commissioner-initiated investigations.	80% of FOI CIIs are finalised within eight months.
	Providing a public information service.	90% of written enquiries are finalised within 10 working days.

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1 (continued): Complaint handling, compliance and monitoring, and education and promotion.		
Performance information		
Year	Performance criteria	Targets
2021-22	Handling privacy complaints. Conducting Privacy Commissioner-initiated investigations (CIIs). Handling data breach notifications (DBNs). Providing an Information Commissioner review function. Handling FOI complaints. Conducting FOI Commissioner-initiated investigations. Providing a public information service.	80% of privacy complaints are finalised within 12 months. 80% of privacy CIIs are finalised within eight months. 80% of DBNs are finalised within 60 days. 80% of My Health Record DBNs are finalised within 60 days. 80% of Information Commissioner reviews are completed within 12 months. 80% of FOI complaints are finalised within 12 months. 80% of FOI CIIs are finalised within eight months. 90% of written enquiries are finalised within 10 working days.
2022-23 and beyond	The performance criteria for Outcome 1 will be further developed.	
Purpose	To promote and uphold privacy and information access rights.	

Section 3: Budgeted financial statements

Section 3 presents budgeted financial statements that provide a comprehensive snapshot of entity finances for the 2019-20 budget year, including the impact of budget measures and resourcing on financial statements.

3.1 BUDGETED FINANCIAL STATEMENTS

3.1.1 Differences between entity resourcing and financial statements

There is no material difference between the entity resourcing and financial statements.

3.1.2 Explanatory notes and analysis of budgeted financial statements

The OAIC is budgeting for an underlying break-even operating result for the budget year and forward estimates, after taking into account unfunded depreciation and amortisation expenses.

3.2 BUDGETED FINANCIAL STATEMENTS TABLES

Table 3.1: Comprehensive income statement (showing net cost of services) for the period ended 30 June

	2018-19 Estimated actual \$'000	2019-20 Budget \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
EXPENSES					
Employee benefits	10,950	14,627	14,715	14,793	9,596
Suppliers	5,245	6,525	6,496	5,925	3,708
Depreciation and amortisation (a)	399	299	289	289	289
Total expenses	16,594	21,451	21,500	21,007	13,593
LESS:					
OWN-SOURCE INCOME					
Own-source revenue					
Sale of goods and rendering of services	2,337	178	178	-	-
Total own-source revenue	2,337	178	178	-	-
Gains					
Other	33	33	33	33	33
Total gains	33	33	33	33	33
Total own-source income	2,370	211	211	33	33
Net (cost of)/contribution by services	(14,224)	(21,240)	(21,289)	(20,974)	(13,560)
Revenue from government	13,825	20,941	21,000	20,685	13,271
Surplus/(deficit) attributable to the Australian Government	(399)	(299)	(289)	(289)	(289)
Total comprehensive income/(loss)	(399)	(299)	(289)	(289)	(289)
Total comprehensive income/(loss) attributable to the Australian Government	(399)	(299)	(289)	(289)	(289)

Note: Impact of net cash appropriation arrangements

	2018-19 \$'000	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000
Total comprehensive income/(loss) excluding depreciation/amortisation expenses previously funded through revenue appropriations	-	-	-	-	-
Less depreciation/amortisation expenses previously funded through revenue appropriations (a)	399	299	289	289	289
Total comprehensive income/(loss) – as per the statement of comprehensive income	(399)	(299)	(289)	(289)	(289)

Prepared on Australian Accounting Standards basis.

(a) From 2010-11, the government introduced net cash appropriation arrangements. Bill (No. 1) revenue appropriations for the depreciation and amortisation expenses of non-corporate Commonwealth entities (and select corporate Commonwealth entities) were replaced with a separate capital budget (the departmental capital budget, or DCB) provided through Bill (No. 1) equity appropriations. For information regarding DCBs, see Table 3.5: Departmental capital budget statement.

Table 3.2: Budgeted departmental balance sheet (as at 30 June)

	2018-19 Estimated actual \$'000	2019-20 Budget \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
ASSETS					
Financial assets					
Cash and cash equivalents	260	589	589	589	589
Trade and other receivables	4,948	4,167	4,167	4,148	4,148
Total financial assets	5,208	4,756	4,756	4,737	4,737
Non-financial assets					
Property, plant and equipment	739	3,192	3,076	2,979	2,690
Intangibles	627	594	440	267	267
Other non-financial assets	45	45	45	45	45
Total non-financial assets	1,411	3,831	3,561	3,291	3,002
Total assets	6,619	8,587	8,317	8,028	7,739
LIABILITIES					
Payables					
Suppliers	1,078	884	917	917	917
Other payables	1,609	1,609	1,609	1,846	1,846
Total payables	2,687	2,493	2,526	2,763	2,763
Non-interest bearing liabilities					
Lease Incentives	490	251	237	–	–
Total non-interest bearing liabilities	490	251	237	–	–
Provisions					
Employee provisions	1,749	1,749	1,749	1,749	1,749
Total provisions	1,749	1,749	1,749	1,749	1,749
Total liabilities	4,926	4,493	4,512	4,512	4,512
Net assets	1,693	4,094	3,805	3,516	3,227
EQUITY (a)					
Parent entity interest					
Contributed equity	2,173	4,873	4,873	4,873	4,873
Reserves	172	172	172	172	172
Retained surplus (accumulated deficit)	(652)	(951)	(1,240)	(1,529)	(1,818)
Total parent entity interest	1,693	4,094	3,805	3,516	3,227
Total equity	1,693	4,094	3,805	3,516	3,227

Prepared on Australian Accounting Standards basis.

(a) Equity is the residual interest in assets after deduction of liabilities.

Table 3.3: Departmental statement of changes in equity – summary of movement (2019-20 budget year)

	Retained earnings \$'000	Asset revaluation reserve \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2019				
Balance carried forward from previous period	(652)	172	2,173	1,693
Adjusted opening balance	(652)	172	2,173	1,693
Comprehensive income				
Surplus/(deficit) for the period	(299)	–	–	(299)
Total comprehensive income	(299)	–	–	(299)
Of which:				
Attributable to the Australian Government	(299)	–	–	(299)
Transactions with owners				
Contributions by owners				
Equity injection – appropriation	–	–	2,700	2,700
Sub-total transactions with owners	–	–	2,700	2,700
Estimated closing balance as at 30 June 2020	(951)	172	4,873	4,094
Closing balance attributable to the Australian Government	(951)	172	4,873	4,094

Prepared on Australian Accounting Standards basis.

Table 3.4: Budgeted departmental statement of cash flows (for the period ended 30 June)

	2018-19 Estimated actual \$'000	2019-20 Budget \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	13,825	20,941	21,000	20,685	13,271
Sale of goods and rendering of services	2,337	178	178	–	–
Net GST received	250	250	250	–	–
Total cash received	16,412	21,369	21,428	20,685	13,271
Cash used					
Employees	10,950	14,627	14,715	14,793	9,596
Suppliers	4,085	6,144	6,444	5,873	3,675
Net GST paid	250	250	250	–	–
s74 External Revenue transferred to the Official Public Account	1,437	–	–	–	–
Total cash used	16,722	21,021	21,409	20,666	13,271
Net cash from/(used by) operating activities	(310)	348	19	19	–
INVESTING ACTIVITIES					
Cash used					
Purchase of property, plant and equipment and intangibles	179	2,719	19	19	–
Total cash used	179	2,719	19	19	–
Net cash from/(used by) investing activities	(179)	(2,719)	(19)	(19)	–
FINANCING ACTIVITIES					
Cash received					
Contributed equity	160	2,700	–	–	–
Total cash received	160	2,700	–	–	–
Net cash from/(used by) financing activities	160	2,700	–	–	–
Net increase/(decrease) in cash held	(329)	329	–	–	–
Cash and cash equivalents at the beginning of the reporting period	589	260	589	589	589
Cash and cash equivalents at the end of the reporting period	589	589	589	589	589

Prepared on Australian Accounting Standards basis.

Table 3.5: Departmental capital budget statement (for the period ended 30 June)

	2018-19 Estimated actual \$'000	2019-20 Budget \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
NEW CAPITAL APPROPRIATIONS					
Equity injections – Bill (No. 2)	860	2,000	-	-	-
Total new capital appropriations	860	2,000	-	-	-
Provided for:					
Purchase of non-financial assets	860	2,000	-	-	-
Total items	860	2,000	-	-	-
PURCHASE OF NON-FINANCIAL ASSETS					
Funded by capital appropriations (a)	160	2,700	-	-	-
Funded internally from departmental resources	19	19	19	-	-
Total	179	2,719	19	-	-
RECONCILIATION OF CASH USED TO ACQUIRE ASSETS TO ASSET MOVEMENT TABLE					
Total purchases	179	2,719	19	-	-
Total cash used to acquire assets	179	2,719	19	-	-

Prepared on Australian Accounting Standards basis.

(a) Includes funding from current Bill (No. 1) appropriation and s74 retained revenue receipts.

Table 3.6: Statement of asset movements (2019-20 budget year)

	Other property, plant and equipment \$'000	Computer software and intangibles \$'000	Total \$'000
As at 1 July 2019			
Gross book value	739	3,032	3,771
Accumulated depreciation/amortisation and impairment	-	(2,405)	(2,405)
Opening net book balance	739	627	1,366
CAPITAL ASSET ADDITIONS			
Estimated expenditure on new or replacement assets			
By purchase – appropriation equity (a)	2,550	150	2,700
By purchase – appropriation ordinary annual services (b)	19	-	19
Total additions	2,569	150	2,719
Other movements			
Depreciation/amortisation expense	(116)	(183)	(299)
Total other movements	(116)	(183)	(299)
As at 30 June 2020			
Gross book value	3,308	777	6,490
Accumulated depreciation/amortisation and impairment	(116)	(183)	(2,704)
Closing net book balance	3,192	594	3,786

Prepared on Australian Accounting Standards basis.

(a) 'Appropriation equity' refers to equity injections appropriations provided through Appropriation Bill (No. 2) 2018-19.

(b) 'Appropriation ordinary annual services' refers to funding provided through Appropriation Bill (No. 1) 2019-20 for other operational expenses.