

SUBMISSIONS GUIDELINES

This guideline sets out the general approach that the independent review of the Environment Protection and Biodiversity Conservation Act (the review) will take to the collection, use and disclosure of information. Information created and collected during the review will be managed consistently with the Department of the Environment and Energy's [privacy policy](#).

The application of this submission guideline will depend on the particular situation. Where circumstances require it the review reserves the discretion as to when to apply these guidelines.

1) GENERAL

- a. The review will seek information on a voluntary basis, by inviting participation, comments and submissions from interested parties.
- b. Information (including confidential information) collected during the review may be viewed by the Reviewer and Expert Panel, Department of the Environment and Energy staff, and contractors and consultants involved in the delivery of the review.
- c. The review's strong preference is that information provided through written submissions and comments will be made available as public documents that can be placed on the review's website for others to read and draw on. This approach aligns with the [Australian Government's Public Data Policy Statement 2015](#) and [Australia's Open Government National Action Plan 2018-2020](#).
- d. Each written submission to the review, except for submissions and attachments supplied in confidence, will be published on the review's website and will remain there indefinitely as a public document. The name of the organisation or person making the submission, the state and territory where they are based and the themes of the submission will be included on the website. Other contact information will not be published.
- e. The review reserves the right to refuse to publish material that contains offensive language, potentially defamatory material or copyright infringing material.
- f. Where the review receives multiple copies of the same submission (for example, 'campaign submissions'), the review will only publish this once.
- g. Copyright in submissions sent to the review resides with the author(s), not with the review or the Department. People or organisations making submissions should not provide material for which they are not the copyright owner, such as newspaper articles. A reference or link can be made to this material in the submission.

2) REQUESTS FOR CONFIDENTIALITY

- a. Information which is of a confidential nature or which is submitted in confidence can be treated as such by the review. The review's preference is that confidential information is removed prior to the submission being made. The secretariat may request a non-confidential summary or further information on why confidentiality is requested.

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- b. A party that provides information to the review should clearly identify the part of the information that it regards as confidential. Parties are encouraged to contact the review for further information and advice before submitting such material.

3) PRIVACY AND PERSONAL INFORMATION

- a. The review only collects personal information for purposes which are directly related to its functions or activities, consistent with the Department of the Environment and Energy's [Privacy Policy](#).
- b. Contact information is collected for the purposes of identifying authors and in case the review needs to get in touch with you in relation to your submission. Contact information and other personal information contained in submissions may be used, and disclosed within the Department and to other persons, for the purposes of the independent review of the EPBC Act, for related purposes, and otherwise as required or permitted by law.
- c. If you are making a submission which contains the personal information of another person, and you have not obtained the person's consent to their information:
 - i. being included in your submission; and
 - ii. being used and potentially published by the Department for the purposes set out in this notice, please de-identify or otherwise remove the personal information before providing your submission to the review.
- d. For privacy purposes, all personal details (e.g. home and email address, signatures, phone, mobile and fax numbers) that may be included in your submission will not be published on the website. Please do not include these details in the body of your submission.
- e. If a person or organisation making a submission chooses to remain anonymous or use a pseudonym, the review may place less weight on the submission and will be unable to make contact with any follow-up questions.

4) LIABILITY

- a. The views contained in published submissions are the responsibility of the authors and should not be taken to represent the views of the review, the Department of the Environment and Energy or the Australian Government. Publication does not in any way constitute endorsement of the views of the authors.
- b. The review and the Department of the Environment and Energy does not verify the information contained in published submissions and makes no representation or warranty about the accuracy, reliability, currency or completeness of any material contained in submissions.
- c. The review and the Department of the Environment and Energy disclaims liability, to the extent permitted by law, for any liabilities, losses, damages and costs arising from any information contained in published submissions.

5) FREEDOM OF INFORMATION

- a. A request may be made under the *Freedom of Information Act 1982* for access to a submission, including a submission marked 'confidential'. Such requests, including determining whether information is exempt from release, will be handled in accordance with provisions of the Act.

6) SUBMISSION TIMEFRAMES

- a. The review will usually seek submissions in response to a paper in a certain timeframe. A due date will be publicised with each invitation for submissions. Submissions received after this date may still be considered but late submissions will not be able to be fully considered by the Reviewer.

The review acknowledges the Traditional Owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

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