

# BUILDING AND CONSTRUCTION LAW JOURNAL

Volume 37, Number 6

2022

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**Managing the Risk of Government Tender Disclosure under Freedom of Information Legislation** – *Duncan Anderson*

It is routine for construction contractors to tender for and then contract with government for the provision of public infrastructure. For construction contractors, public infrastructure tenders and contracts carry a potential risk in that commercially sensitive information then provided to the government may be amenable to public disclosure, under the freedom of information legislation operating in all Australian jurisdictions. Among other things, this article evaluates whether this perceived risk of public disclosure of commercially sensitive information is realistic, before going on to analyse and set out steps that construction contractors might take to manage this risk, so trade secrets and other valuable commercial information does not make their way into the public domain. .... 507

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