

**Senate Standing Committee on Environment and Communications**  
**Legislation Committee**  
Answers to questions on notice  
**Environment portfolio**

**Question No:** 193

**Hearing:** Supplementary Budget Estimates

**Outcome:** Corporate

**Programme:** Policy and Communications Division

**Topic:** Portfolio Wide – Freedom of Information

**Hansard Page:** N/A

**Question Date:** 27 November 2013

**Question Type:** Written

**Senator Ludwig asked:**

Does the Department consult or inform other Departments or agencies when it receives Freedom of Information requests?

- a) If so, which Departments or agencies?
- b) If so, when?
- c) If so, how does this occur?

**Answer:**

The Department processes requests in accordance with the requirements of the *Freedom of Information Act 1982* and Guidelines issued by the Office of the Australian Information Commissioner.

- a) Only relevant departments or agencies.
- b) Where it is proposed to transfer the request to the other agency because the subject matter of the request is more relevant to the other agency, in accordance with the *Freedom of Information Act*, or  
if the other agency has been involved in creating a document; or  
as set out in advice issued by the Department of the Prime Minister and Cabinet relating to Cabinet documents, documents supplied by exempt security agencies and documents involving cables.
- c) The Freedom of Information (FOI) Coordination Team will contact the relevant FOI Coordinator by email.

## **Clean Energy Regulator**

The Clean Energy Regulator does not routinely consult or inform other departments or agencies when it receives a Freedom of Information request.

Where a Freedom of Information request seeks a document that refers to, or relates to information in the possession or control of, another department or agency, the Clean Energy regulator consults with the relevant agency or department according to the processes set out in the *Freedom of Information Act 1982* and associated Guidelines. Ordinarily, consultation occurs by telephone and/or email.

To date, the Clean Energy Regulator has consulted the Office of the Australian Information Commissioner, the Department of the Environment (including its predecessors) and the Department of the Prime Minister and Cabinet. On occasion, the Clean Energy Regulator has also consulted with state agencies and departments.

## **Climate Change Authority**

Under a shared services agreement, the Department of Industry provides legal services to the Authority, including Freedom of Information advice.

- a) The Department of Industry and the Office of the Australian Information Commissioner if required.
- b) The Department of Industry legal services team is consulted as soon as a Freedom of Information request is received. The Office of the Australian Information commissioner receives reports on the total number of FOIs received.
- c) The Department of Industry legal services team is emailed with a request to provide relevant advice.

## **Bureau of Meteorology**

The Bureau of Meteorology processes requests, including requirements for third party consultation, in accordance with the requirements of the *Freedom of Information Act 1982* and Guidelines issued by the Office of the Australian Information Commissioner (OAIC).

- a) Only relevant departments or agencies.
- b) Where it is proposed to transfer the request to the other agency because the subject matter of the request is more relevant to the other agency than the Bureau. Other specific instances are:
  - The Cabinet Secretariat where the request relates to Cabinet documents
  - Exempt security agencies where the request relates to documents supplied by these agencies.
  - The Department of the Environment Freedom of Information Team if the Bureau's FOI Coordinator requires advice on particular aspects of FOI.

### **National Water Commission**

- a) Not applicable
- b) Not applicable
- c) Not applicable

### **Great Barrier Reef Marine Park Authority**

Yes

- a) Depends on the nature of the Freedom of Information request and the individual documents.
- b) Queensland Departments and agencies are consulted in accordance with the *Freedom of Information Act 1982*.

Commonwealth departments and agencies are consulted where documents relate to their functions as per Freedom of Information Guidelines. Where the *Freedom of Information Act 1982* requires consultation then this occurs.

Commonwealth departments and agencies are also consulted for the purpose of transferring requests.

- c) Consultation between the Great Barrier Reef Marine Park Authority and departments or agencies occurs through the officers of the relevant departments or agencies who are involved in processing the relevant Freedom of Information request.

### **Sydney Harbour Federation Trust**

The Trust processes requests in accordance with the requirements of the *Freedom of Information Act 1982* and Guidelines issued by the Office of the Australian Information Commissioner.

- a) Only relevant Departments or agencies.
- b) Where it is proposed to transfer the request to the other agency because the subject matter of the request is more relevant to the other agency, in accordance with the *Freedom of Information Act*; or  
if the other agency has been involved in creating a document; or  
as set out in advice issued by the Department of the Prime Minister and Cabinet relating to Cabinet documents, documents supplied by exempt security agencies and documents involving cables.
- c) The Freedom of Information (FOI) Officer will contact the relevant FOI Coordinator by email.