

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

**Question No:** 194  
**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 the Minister when or before it makes a decision on a Freedom of Information request?

- a) If so, when?
- b) If so, how does this occur?

**Answer:**

The Department consults the Minister in the search of shared resources and transfer of requests in accordance with the *Freedom of Information Act 1982* and Guidelines issued by the Office of the Australian Information Commissioner.

- a) For matters whereby information in the scope of the request relates to the official documents of the Minister e.g. a decision of the Minister in accordance with the *Environment Protection and Biodiversity Conservation Act 1999*.
- b) The Freedom of Information Coordination Team branch head informs the Minister's Chief of Staff (by email) of a request that may relate to information held by the Minister, whereby it may be necessary to transfer the request to the Minister in part or in full.

If it proves unnecessary to transfer the request to the Minister, consultation occurs as necessary with the Minister (through the Chief of Staff) in accordance with the Guidelines issued by the Office of the Australian Information Commissioner.

Once a decision has been made in a request in these instances, the FOI Coordination Team email the Minister's Chief of Staff a copy of the decision after it has been provided to the applicant.

**Clean Energy Regulator**

No. The Clean Energy Regulator does not consult or inform the Minister before it makes a decision on a Freedom of Information request. Ordinarily, the Clean Energy Regulator provides a copy of a Freedom on Information decision to the Minister's office after a decision has been made.

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**Climate Change Authority**

In the past, as a courtesy the Authority has informed the Ministers office after a decision has been taken and prior to release of any documents.

**Murray Darling Basin Authority**

Yes, the Murray-Darling Basin Authority informs but does not consult the Minister's and Parliamentary Secretary's offices when and before a decision has been made on a Freedom of Information request.

- a) The Minister's and the Parliamentary Secretary's offices are informed after the applicant has been notified of the decision made on their Freedom of Information request.
- b) The Minister's and the Parliamentary Secretary's offices are informed by e-mail.

**Bureau of Meteorology**

The Bureau of Meteorology informs the Parliamentary Secretary's Office of the number of Freedom of Information (FOI) requests being processed.

The Bureau informs the Parliamentary Secretary's Office (PSO) of decisions once the decision has been finalised prior to release to applicant or publication via the FOI Disclosure Log.

- b) Specific discussions on FOI matters occur once the decision has been taken by the delegate. These discussions are generally in response to media inquiries that may be generated by the information released under FOI.

**National Water Commission**

- a) Not applicable
- b) Not applicable

**Great Barrier Reef Marine Park Authority**

No

**Sydney Harbour Federation Trust**

The Trust consults the Minister in the search of shared resources and transfer of requests in accordance with the *Freedom of Information Act 1982* and Guidelines issued by the Office of the Australian Information Commissioner.

- a) For matters whereby information in the scope of the request relates to the official documents of the Minister e.g. a decision of the Minister in accordance with the *Environment Protection and Biodiversity Conservation Act 1999*.
- b) The Executive Director informs the Minister by way of a Ministerial submission of a request that may relate to information held by the Minister, whereby it may be necessary to transfer the request to the Minister in part or in full.

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