

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Budget Estimates Hearings May 2014

Communications Portfolio

Special Broadcasting Service

Question No: 373

Program No. SBS

Hansard Ref: In writing

Topic: FOI Requests

Senator Ludwig asked:

The following questions relate to requests made pursuant to the Freedom of Information Act (the Act):

Consultations with other Departments, Agencies and the Minister

1. Other than for the purpose of discussing a transfer under section 16 of the Act, does the Department/Agency consult or inform other Departments or Agencies when it receives Freedom of Information requests?
2. If so, for each instance provide a table setting out the following information:
 - a. The Department or Agency which was consulted;
 - b. The document;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
3. Other than for the purposes of discussing a transfer under section 16 of the Act, has the Department consulted or informed the Minister's office about Freedom of Information requests it has received?
4. If yes, provide a table setting out the following information:
 - a. The requests with respect to which the Minister or Ministerial office was consulted;
 - b. The Minister or Ministerial office which was consulted;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
 - f. Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office

Staffing resources

For the period of time from 18 September 2013, what was the average FTE is allocated to processing FOI requests?

FOI Disclosure Log (The following questions relate to the period from 18 September 2013)

1. For the purposes of meeting its obligations under 11C of the Act, does the Department or Agency:

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- a. Maintain a webpage allowing download of documents released under section 11A (direct download)?
- b. Require individuals to contact the Department or Agency to ask for the provision of those documents (request for provision)?
- c. Facilitate to those documents in a different manner (if so, specify).
2. If the Department or Agency has moved from a system of meeting its 11C obligations by direct download, to a system of meeting those obligations by request for provision, provide the following information:
 - a. The dates for which documents were made available for direct download, and the dates for which documents were made available through request for provision;
 - b. The total number of direct downloads of documents released under 11A the Departmental or Agency website;
 - c. The total number of requests for provision to documents that had been directly received, and how many had been processed by [date]?
 - d. What was the average FTE allocated to monitoring incoming email, collating and forwarding documents providing under a request for provision?
 - e. What was the approximate cost for salaries for the FTE staff allocated to this task?
3. Has the Department or Agency charged any for access to a document under section 11C(4)?
4. If so, please provide the following information in a table:
 - a. On how many occasions charges have been imposed;
 - b. The amount charged for each document
 - c. The total amount charged;
 - d. What is the highest charge that has been imposed.

With respect to FOI requests (The following questions relate to the period from 18 September 2013)

How many documents were assessed (at internal review or - if internal review was not requested - by the original decision maker) as conditionally exempt? Of those, how many were:

- a. Released in full
- b. Released in part
- c. Refused access on the grounds that release of the document would be contrary to the public interest
- d. Other (please specify)

Answer:

FOR THE PERIOD 7 SEPTEMBER 2013 TO END JUNE 2014

Consultations with other Departments, Agencies and the Minister

1. Yes, as required under sections 26A and 27 of the Freedom of Information Act 1982 (FOI Act) as relevant.
- 2.

a.	b.	c.	d.	e.
Department of Communications	Letter from Mr Joseph Skrzynski to Mr Malcolm Turnbull MP dated 14 October 2013	Consultation under section 27 of the FOI Act	Yes Yes 30 days (under s.15(6) FOI Act)	No

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Department of Communications	Letter from Mr Joseph Skrzynski to Mr Malcolm Turnbull MP dated 14 October 2013 on the subject 'Extension of SBS Digital Distribution contracts'	Consultation under section 27 of the FOI Act	Yes Yes 30 days (under s.15(6) FOI Act)	No
Department of Communications	Letter from Mr Joseph Skrzynski to Mr Malcolm Turnbull MP dated 14 October 2013 on the subject 'SBS Short Term Loan Request'	Consultation under section 27 of the FOI Act	Yes Yes 30 days (under s.15(6) FOI Act)	No
Department of Communications	Letter from Mr Joseph Skrzynski to Mr Malcolm Turnbull MP dated 14 October 2013 on the subject 'Independence of SBS should be the same as the ABC'	Consultation under section 27 of the FOI Act	Yes Yes 30 days (under s.15(6) FOI Act)	No
Department of Communications	Letter from Mr Joseph Skrzynski to Mr Malcolm Turnbull MP dated 14 October 2013 on the subject 'Analogue television transmission project closure'	Consultation under section 27 of the FOI Act	Yes Yes 30 days (under s.15(6) FOI Act)	No

3. Yes, as required under sections 26A and 27 of the Freedom of Information Act 1982 (FOI Act) as relevant.

4. As above. The Department of Communications dealt with the request.

Staffing resources

Approximately 0.9. This figure is based on multiple staff working on a number of requests for the period September 2013 to June 2014.

FOI Disclosure log

1 (a) Yes (b) In one instance. (c) SBS will do so where relevant.

1. (a) – (e) Not applicable

2. No

3. Not applicable.

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With respect to FOI requests

- a. Nil.
- b. 18 (with information redacted).
- c. Nil.
- d. N/A.