

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Budget Estimates 2014
3 June to 5 June 2014

Department/ Agency: APRA

Question: BET 1693-1701

Topic: Freedom of Information - Consultation with other Departments, Agencies and Minister, Staffing Resources, FOI Disclosure Log, FOI Requests

Reference: Written – 12 June 2014

Senator: Ludwig

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

Consultations with other Departments, Agencies and the Minister

1693. Other than for the purpose of discussing a transfer under section 16 of the Act, does the Department consult or inform other Departments or Agencies when it receives Freedom of Information requests?
1694. 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
1695. 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?
1696. 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

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Staffing resources

The following questions relate to the period from 18 September 2013:

1697. For the period of time from 18 September 2013, what was the average FTE is allocated to processing FOI requests?

FOI Disclosure Log

1698. For the purposes of meeting its obligations under 11C of the Act, does the Department or Agency:

- 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).

1699. If the Department or Agency has moved from a system of meetings 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?
 - i. What was the approximate cost for salaries for the FTE staff allocated to this task?

1700. Has the Department or Agency charged any for access to a document under section 11C(4)?

- a) If so, please provide the following information in a table:
 - i. On how many occasions charges have been imposed;
 - ii. The amount charged for each document
 - iii. The total amount charged;
 - iv. What is the highest charge that has been imposed.

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With respect to FOI requests:

1701. How many documents were assessed (at internal review or - if internal review was not requested - by the original decision maker) as conditionally exempt?
- a) Of those, how many were:
 - i. Released in full
 - ii. Released in part
 - iii. Refused access on the grounds that release of the document would be contrary to the public interest
 - iv. Other (please specify).

Answer:

1693. The Australian Prudential Regulation Authority (APRA) consults with and informs applicants and third parties as required by the *Freedom of Information Act 1982* (FOI Act) and in accordance with guidelines issued by the Australian Information Commissioner under s93A of the FOI Act (the Guidelines).
1694. APRA consulted on one occasion.
- a) Treasury.
 - b) Documents relating Trio Capital Limited.
 - c) Consultation with Treasury in accordance with part 3.91 of the Guidelines occurred to assist in managing a request where the FOI Applicant had requested access to the same or similar documents from several agencies.
 - d) APRA did not seek an extension of time.
 - e) APRA did not seek an extension of time.
1695. APRA has not consulted with or informed the Minister's office about FOI requests it receives.
1696. Not applicable.

Staffing resources

1697. APRA does not assign staff wholly to processing FOI requests. Two Level 3 staff and two Level 4 staff routinely process FOI requests as part of their ordinary duties.

FOI Disclosure Log

1698. a) - c) As required by section 11C of the FOI Act, APRA publishes its Freedom of Information disclosure log on its website which is located at:
<http://www.apra.gov.au/AboutAPRA/FOI/Pages/Freedom-of-Information-Disclosure-Log.aspx>
1699. a) - d) Not applicable as APRA has not changed its system of meeting its obligations under section 11C of the FOI Act.
1700. No.

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With respect to FOI requests:

1701. APRA determined that 11 documents within the scope of one request were conditionally exempt.
- a) i. None.
 - ii. None.
 - iii. 11 documents.
 - iv. Not applicable.