

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

Department/ Agency: ASIC

Question: BET 1859-1867

Topic: Freedom of Information

Reference: Written, 12 June 2014

Senator: Ludwig

Question:

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

Consultations with other Departments, Agencies and the Minister

1859. 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?
1860. 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
1861. 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?
1862. 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

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

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

1863. For the period of time from 18 September 2013, what was the average FTE is allocated to processing FOI requests?

FOI Disclosure Log

1864. 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).
1865. 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?
1866. 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.

With respect to FOI requests:

1867. 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

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

- iii. Refused access on the grounds that release of the document would be contrary to the public interest
- iv. Other (please specify)

Answer:

NOTE: The following questions are not made with reference to a time period. It has been assumed from the date referred to in the previous questions put by the Senator that the time period is 7 September 2013 – 30 June 2014.

- 1859. Yes. We consult with other Departments or Agencies where we are considering the release of documents that emanate from that Department or Agency or otherwise significantly pertains to them.
- 1860. The task of obtaining and reviewing all 189 FOI files to compile this data would require an unreasonable diversion of resources.
- 1861. We would in circumstances where we are considering the release of documents that emanate from the Minister's office or otherwise significantly pertains to the Minister's office. Without reviewing each of the 189 files from the relevant period, we could not say that this has or hasn't happened.
- 1862. The task of obtaining and reviewing all 189 FOI files to compile this data would require an unreasonable diversion of resources.

Staffing resources

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

- 1863. It is estimated that in the relevant the following staff who deal exclusively or frequently with FOI are:
 - EXEC LEVEL 2 - 2.10
 - EXEC LEVEL 1 - 1.10

Other than that, each operational team has a number of members who are authorised to make freedom of information decisions. In addition to performing their ordinary duties, they are available to process freedom of information requests that pertain to their area as required.

FOI Disclosure Log

- 1864. ASIC maintains an online disclosure log. Documents must be requested by email to ASIC's FOI Inbox.
- 1865. ASIC has always met the 11C obligation on a by request basis.
- 1866. No.

With respect to FOI requests:

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

1867. The task of obtaining and reviewing all 181 FOI files to compile this data would require an unreasonable diversion of resources.