

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Supplementary Budget Estimates
2014 - 2015

Department/Agency: ACCC

Question: SBT 805-815

Topic: Freedom of Information

Reference: written - 30 October 2014

Senator: Ludwig, Joe

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

805. 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?
806. 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
807. 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?
808. 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:

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

FOI Disclosure Log

810. 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).
811. 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?
812. Has the Department or Agency charged any for access to a document under section 11C (4)?
813. 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:

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

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- 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:

805. Yes. Other agencies/departments may be consulted regarding their views on whether documents should be released where the documents relate to that agency/department. Occasionally, other agencies/departments may be informed about an FOI request, for example where an applicant requests the same document from multiple agencies/departments.
806.
 - a) To attempt to provide this level of detail would involve an unreasonable diversion of departmental resources.
 - b) To attempt to provide this level of detail would involve an unreasonable diversion of departmental resources.
 - c) The purpose of the consultation is to ascertain other agencies/departments views on whether document should be released.
 - d) Not applicable.
 - e) Not applicable.
807. As a matter of course the ACCC does not consult or inform the Minister when it receives an FOI request.
808.
 - a) Not applicable.
 - b) Not applicable.
 - c) Not applicable.
 - d) Not applicable.
 - e) Not applicable.
 - f) Not applicable.
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810.
 - a) Yes.
 - b) No. Documents are available for direct download.
 - c) Individuals can request documents in a different format if available.
811.
 - a) Not applicable.
 - b) Not applicable.
 - c) Not applicable.
 - d) Not applicable.
 - i) Not applicable.

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812. No.

813. a) Not applicable.
b) Not applicable.
c) Not applicable.
d) Not applicable.

814. 86 documents were found to be conditionally exempt in the period 12 June 2014 until 30 October 2014.

815. a) 0.
b) 33.
c) 53.
d) 0.