

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2014

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission

Outcome/Program: Cross Portfolio

Topic: FOI Requests

Senator: Ludwig

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Type of question: Written

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Question:

Since September 7, 2013:

1. How many requests for documents under the FOI Act have been received?
2. Of these, how many documents have been determined to be deliberative documents?
3. Of those assessed as deliberative documents:
 1. For how many has access to the document been refused on the basis that it would be contrary to the public interest?
 2. For how many has a redacted document been provided?

Answer:

- 1) Staff of the Australian Public Service Commission assist four bodies which have a 'principal officer' for the purposes of the *Freedom of Information Act 1982* (FOI Act):
 - the Australian Public Service Commissioner
 - the Merit Protection Commissioner
 - the Remuneration Tribunal
 - the Defence Force Remuneration Tribunal.

Each of these are independently responsible for managing their obligations under the FOI Act and for reporting to the Office of the Australian Information Commissioner (OAIC) about FOI matters.

The following table lists the number of requests received by each of the relevant bodies:

FOI requests received since 7 September 2014	
Australian Public Service Commissioner	12
Merit Protection Commissioner	2
Remuneration Tribunal	0
Defence Force Remuneration Tribunal	0

- 2) Of the 12 FOI requests received by the Commissioner since 7 September 2014, three requests included within their scope documents containing deliberative matter within the meaning of section 47C of the FOI Act. Two of these three requests were for the same single document. The third request covered a number of other documents, of which two included deliberative matter. Noting that two of the requests were for the same document, a total of three documents included deliberative matter.

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Of the two FOI requests received by the Merit Protection Commissioner since 7 September 2014, one request included within its scope a single document containing deliberative matter.

3) With respect to the four documents containing deliberative matter referred to in the response to question two, the FOI decision maker in each case decided that disclosure of the deliberative matter would be contrary to the public interest in accordance with section 11A of the FOI Act. In each of these cases, the deliberative matter comprised only a fraction of the documents and the FOI applicants were granted partial access to the documents. Material that was determined to be exempt from disclosure under the FOI Act was redacted from the documents released to the FOI applicants.