

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Budget Estimates Hearing 25-29 May 2015**

**Prime Minister and Cabinet Portfolio**

**Department/Agency:** Department of the Prime Minister and Cabinet  
**Outcome/Program:** Outcome 1: Prime Minister and Cabinet  
**Topic:** FOI

**Senator:** Senator the Hon Joe Ludwig

**Question reference number:** 221

**Type of question:** 26 May 2015 p. 133

**Date set by the committee for the return of answer:** 10 July 2015

**Number of pages:** 2

**Question:**

Senator LUDWIG: There has been a question about that being on notice and not being answered. But can we have a look at those FOIs that you have on hand. I am happy for you to take it on notice. It would be helpful if you could provide us with a list of the FOI requests that you currently have—is my microphone on; can you hear me fine?—

Ms Kelly: Yes.

Senator LUDWIG: and then the issue, if possible—I do not want the identifiers—and those which are past the date when the FOI request should have been dealt with, and how many there have been over the last 12 months. That would be helpful.

Ms Kelly: Can you just clarify what you mean by 'issue' so that I understand the request?

Senator LUDWIG: At least not calling it 'FOI1' or 'FOI2'—some way of describing what the FOI request is about. It depends on the nature of what you can provide. I do understand the difficulty.

Ms Kelly: Yes. We will endeavour to—

Senator LUDWIG: But not the person, clearly, who was putting the FOI request in. What I am really interested in is: how many FOI requests have been made, how many have been answered on time and how many have not been answered on time?

Ms Kelly: The difficulty that we have had with that question when you have asked it previously is that we do not centrally record that information, so, in order to—

Senator LUDWIG: Maybe I am encouraging you to do that.

Ms Kelly: That is something that I can take on board, but, in relation to the past year, we have not centrally recorded that. We can certainly give you a list, but, in terms of saying when they were answered and why they were not answered on time, that would require us to go back to each individual file, so our previous responses to you when you have asked that have been that we just do not have that information to hand.

**Answer:**

A list of freedom of information requests made to the Department on hand as at 26 May 2015, showing whether the access decision on each request was within the standard time frames provided under the FOI Act or was overdue, is below.

### Current FOI requests to PM&C – as at COB 26 May 2015

Subject of request for documents relating to:	Within time or Overdue
plain packaging of tobacco products	Overdue
communications with specified individuals	Overdue
Prime Minister's visit	Overdue
people smuggling	Within time
the Bureau of Meteorology	Within time
ministerial travel requests	Overdue
the processing of an FOI request	Overdue
2014 ABA applications	Overdue
an Indigenous housing company	Overdue
Indigenous Advancement Strategy (IAS) grant funding	Within time
health funding reforms	Within time
Cuttingredtape.gov.au web site	Within time
PM's expenses	Within time
the Register of Environmental Organisations	Overdue
Defence procurement	Within time
Honours	Within time
ministerial travel approvals	Within time
Defence cooperation	Within time
Defence cooperation	Within time
petrol sniffing	Within time
Defence procurement	Within time
a particular IAS application	Within time
establishing local governments	Within time
exempting local government from the <i>Privacy Act 1988</i>	Within time
allowing United Kingdom laws to be valid in Australia	Within time
an Indigenous corporation	Within time
two FOI requests	Within time
revocation, alteration or amendment of Letters Patent of 1900	Within time
Curtin University medical school	Within time
Bali Nine members	Within time
African lions	Within time
<i>Royal Powers Act 1953</i>	Within time
authority to impose arbitrary penalty, fine, conviction or take away rights or property	Within time
Curtin University medical school	Within time
<i>Royal Style and Titles Act 1973</i>	Within time
Queensland infrastructure	Within time
a funded Indigenous service provider	Within time

For the twelve months from 27 May 2014 to 26 May 2015, the Department received 238 FOI requests. Of these:

Access decisions finalised within time	108
Access decisions finalised out of time (i.e. overdue)	35
Requests withdrawn	48
Requests transferred in full to another agency	13
Number of FOI requests on hand at 26 May 2015	34
Total number of FOI requests received during the twelve months	238