

## QUESTION TAKEN ON NOTICE

**ADDITIONAL ESTIMATES HEARING : 27 February 2017**

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

**(AE17/133) - FOI - Process - Internal Product (DIBP)**

Senator Carr, Kim (L&CA) written:

Please provide an outline of (a) how your FOI process works (b) the current legislative timelines and your targets for reaching them.

*Answer:*

a) The Department's FOI process works as follows:

1. New requests are received and reported by the FOI Section, which validates the requests against the requirements the FOI Act (section 15(2)). The request is also registered.

**Target timeframe: days 1-2**

2. The scope of the request is reviewed to determine:
  - a. if a request to the applicant for an extension of time is required due to the size or complexity of the request (section 15AA).
  - b. which Departmental business areas need to be contacted to undertake searches for requested documents/information.

**Target timeframe: days 2-13**

3. Once the documents are completed, an FOI Officer:
  - a. confirms the documents obtained are relevant to the scope of the request.
  - b. commences assessment of whether exemptions are required (as per part IV of the FOI Act) in consultation with Departmental business areas as needed.
  - c. undertakes formal consultation with third parties (being businesses, persons, foreign governments or international organisations) if required. Such consultation adds 30 days to the statutory due date (sections 15, 26A, 27 and 27A).
  - d. undertakes consultations with other Australian government agencies if required (no extension available under the FOI Act).

**Target timeframe: days 14-21**

4. Once exemptions and consultations are finalised, the FOI officer prepares a decision letter and the documents for release as applicable. The decision and documents are then released to the applicant.
5. For requests involving sensitive operational information, the FOI officer will assist an authorised FOI decision maker in the relevant business area to assess and decide the request.

**Target timeframe: days 22-30**

b) The FOI Act prescribes the legislative timeframes for finalisation of FOI requests, which may vary depending on the specifics of each individual request. The Department attempts to meet these legislative timeframes to the extent possible within the limits of our operational and administrative capacity.