

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES – 20 OCTOBER 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE14/090) PROGRAMME – Internal Product

Senator Carr (Written) asked:

Has there been any change in DIBP policy in the way the Department approaches FOI requests?

- a. Does the Minister or the Minister's office have any influence over FOI decisions in the Department?
- b. From whom is advice sought when an FOI request is made to the Department?
- c. Who makes the final decision?

Answer:

There has been no change in the way the portfolio approaches FOI requests since the May 2014 Estimates.

- a. The Minister's office is consulted on requests relating to documents in their possession, as is the case with any area in the department. They are also advised of the pending release of documents for any significant or sensitive FOI requests.
- b. FOI decision makers seek general advice from the business areas responsible for the relevant documents and consults with third parties and external agencies where appropriate and in accordance with the FOI Act and guidelines. This ensures that potential sensitivities are identified in the documents and considered for possible exemption under the FOI Act.
- c. FOI decisions are made by staff of the agency authorised to do so by the agency head under s.23 of the *Freedom of Information Act 1982*.