

OFFICIAL



OFFICE OF THE TREASURER

FOI ref: 3290

12 May 2023

H

By email foi+request-10008-45e2ddc0@righttoknow.org.au

Dear H

I refer to your request received on 1 March 2023, under the Freedom of Information Act 1982 (**FOI Act**), in the following terms:

I seek access to any communication (including emails, whatsapp, signal, sms or other communication regardless of platform) on 1 March 2023 between the Treasurer (or his office) and the Prime Minister (or his office) in relation to:

- 1. the Capital Gain Tax exemption on the family home (otherwise known as a person's principal place of residence)*
- 2. the Treasurer's interview on Channel 7 Sunrise program on 1 March 2023.*

As noted above, this request is limited to documents between the Treasurer/Treasurer's office and the PM/PMO sent or received on 1 March 2023.

I am an authorised decision maker under the FOI Act.

Decision

I have identified seven documents within scope of your request. I have decided to grant access to the seven documents in full. Irrelevant information in the documents has been deleted under section 22 of the FOI Act. The documents for release are attached.

Further information regarding my decision is set out below.

Material Considered

The material which I have considered in making this decision includes:

- the scope of the FOI request and the content of the documents subject to your request; and
- the relevant provisions in the FOI Act and the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (**FOI Guidelines**).

Reasons for decision

Material deleted pursuant to section 22

Section 22 of the FOI Act allows for information that is irrelevant to your request to be deleted from a document. As indicated in my acknowledgement letter, the names and contact details of government employees has been removed from your request.

Rights of review

A statement setting out your rights of review in this matter is attached.

Disclosure Log

The Treasurer publishes documents disclosed in response to FOI requests on the Treasury website on the same day that the decision is sent to an applicant. This is consistent with the arrangements established by section 11C of the FOI Act.

Rights of review

A statement setting out your rights of review in this matter is attached.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Crawford', written in a cursive style.

Claudia Crawford
Chief of Staff
Office of the Treasurer, the Hon Jim Chalmers MP

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision. An application for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Further information can be found on the website of the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/>

AND/OR

2. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.