



OFFICE OF THE PRIME MINISTER

FOI Reference: PM/23/030

To ST

Email: foi+request-10068-3c624b7d@righttoknow.org.au

Dear ST

Thank you for your email dated 16 March 2023 regarding a request to access documents under the *Freedom of Information Act 1982* (the Act).

Terms of FOI request

You set out your FOI request in the following terms:

I request a copy of any communication between staff in the Prime Minister's Office and the Australian Alliance for Animals or any other animal activist group from 27 February 2023 - Sunday 5 March 2023.

This includes any material relating to announcement of the panel on live sheep export phase out, announced on 3 March 2023.

For the avoidance of doubt, I am seeking all written communication regardless of whether by email, letter, SMS, Signal, Whatsapp or other format.

Authorised decision-maker

I am an authorised to make a decision in this matter on the Prime Minister's behalf.

Material taken into account

In reaching my decision I had regard to:

- the terms of your request
- the Act
- the Guidelines issued by the Information Commissioner, under section 93A of the Act

Decision

I have decided to refuse access under section 24A(1) of the Act on grounds that reasonable steps have been taken and documents do not exist.

Reasons for decision

Section 24A(1) of the Act provides, a Minister may refuse a request for access if:

- (a) all reasonable steps have been taken to find the document; and*
- (b) the agency or Minister is satisfied that the document:*
 - (i) is in the agency's or Minister's possession but cannot be found; or*
 - (ii) does not exist.*

I have had regard to the Guidelines which discuss the meaning of 'reasonable' in s 24A(1)(a) being of such an effort that would be appropriate or suitable to the circumstances¹.

I have made inquiries with relevant staff who have knowledge of the matters which are the subject of your request and arranged for reasonable searches to be conducted for responsive documents. No relevant documents within the terms of your request were identified.

I am satisfied that all reasonable steps have been taken and that documents do not exist.

Review rights

If you disagree with the decision you may apply for Information Commissioner review within 60 days from the date of this letter. The Act does not provide for internal review of a decision by a Minister.

More information about review rights and how to apply is available at:
www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review

Yours sincerely



Jenny Mason
17 April 2023

¹ Paragraph 3.88 of the Guidelines