



Ms Evelyn Doyle

Via email: foi+request-1013-051eed4b@righttoknow.org.au

Dear Ms Doyle

FREEDOM OF INFORMATION REQUEST

I refer to your application received by the Justice and Community Safety Directorate on 10 March 2015, in which you sought access, under the *Freedom of Information Act 1989* (the FOI Act), to the following:

Documents that outline risk management factors (i.e. conflicts of interest, corruption etc) and strategies around risk management in regard to the decision to scrap the \$10,000 cap on political donations.

I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

I have included a schedule of documents identified in relation to your request at **Attachment A**. Although the FOI Act facilitates the objective of public access to documentation, the release of information is subject to a number of exemption provisions. I am therefore claiming full or partial exemption for some information, in accordance with the following sections of the FOI Act.

Section 35 Executive Documents

Section 35 provides that:

- (1) *A document is an exempt document if it is –*
 - (a) *A document that has been submitted to the Executive for its consideration or is proposed by a Minister to be so submitted, being a document that was brought into existence for the purpose of submission for consideration by the Executive.*

Folios 1 – 8 and 9 – 27 have been exempted in full as they contain information provided to Cabinet in confidence, the disclosure of which would reveal the deliberations of the Executive.

Section 42 Documents subject to legal professional privilege

Section 42 provides that:

- (1) *A document is an exempt document if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.*

Information at folio 42 has been exempted as it refers to advice provided by the ACT Solicitor General and is therefore subject to legal professional privilege.

Information has also been redacted where it does not relate to the scope of your request.

I note that further information on the reforms made under the *Electoral Amendment Act 2015* can be found on the following websites:

- ACT Legislation Register (www.legislation.gov.au – refer to Explanatory Statement to Electoral Amendment Bill 2014)
- ACT Legislative Assembly (www.parliament.act.gov.au - refer to Hansard of 27 November 2014 and 19 February 2015)
- Justice and Community Safety Directorate website (www.justice.act.gov.au – refer to Government Response to the Select Committee on Amendments to the Electoral Act 1992)

I have also assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that the documents relevant to your request **will** be published online once the processing of your request is completed. For more information about the ACT Government's Online Freedom of Information Publication Policy, visit http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online

You have a right to seek a review of the outcome of this FOI under section 59 of the Act. You have 28 days from the date of this letter, or such other period as the Director-General permits, to seek a review. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. If you wish to seek a review you should write to:

The Director-General
ACT Justice and Community Safety Directorate
C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You also have the right to contact the Ombudsman regarding the processing of your request. If you wish to discuss this matter with the Ombudsman you should write to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

If you have any queries concerning this Directorate's processing of your request, or would like further information, please contact the FOI Coordinator, Ms Lauren Callow on 6207 2167.

Yours sincerely



Ms Julie Field
Executive Director
Legislation, Policy and Programs

8 April 2015