



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2023-173

Mr John Smith

via email: foi+request-10314-6d2c868c@righttoknow.org.au

Dear Mr Smith

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 16 May 2023, in which you sought access to documents from the Asbestos Regulators Forum. You requested:

“... the latest set of agenda papers that can be released presented to the ACT's Asbestos Regulators Forum on the 1988 to 1993 Loose Asbestos Insulation Removal Program.”

On 2 July 2023 an acknowledgment email was sent to you by CMTEDD, in which the scope was defined as you specifically seeking:

*“Agenda papers from the last forum held.
...the latest set of agenda papers that can be released presented to the ACT's Asbestos Regulators Forum on the 1988 to 1993 Loose Asbestos Insulation Removal Program.”*

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 15 June 2023. CMTEDD requested a further extension of 20 working days, under section 41(3) of the Act to enable files to be retrieved from archives. On 26 June 2023 you agreed to the extension, with a response due by 13 July 2023.

Decision on access

A search of CMTEDD records has failed to identify any documentation in relation to your request. The search was conducted using the information you provided in your scope of requested information. Searches included retrieving files from archives and reviewing records held on the Asbestos Regulators Forum. There are no agenda papers on file for the last recorded meeting.

I am satisfied that appropriate, extensive, searches were completed and that no documents relevant to your request are held by CMTEDD.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number folio's to be released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 13 July 2023. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Allara House
15 Constitution Avenue
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 02 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature consisting of the letters 'E' and 'H' in a stylized, cursive font.

Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

10 July 2023