



ACT
Government

Justice and Community Safety

2023/23076

Karen

Via email: foi+request-10776-032190aa@righttoknow.org.au

Dear Karen

DECISION ON FREEDOM OF INFORMATION ACCESS APPLICATION

I refer to your application under the [Freedom of Information Act 2016](#) (the Act), received by the Justice and Community Safety (JACS) Directorate on 20 October 2023, in which you sought access to:

“a copy of the ACT Referendum approving the removal of restrictions on power from the (original) Australian Capital Territory (Self-Government) Act 1988.”

The JACS FOI team sought clarification as follows:

“It is unclear what " removal of restrictions on power" refers to and as such we seek clarification. Could you please provide further information on what you are seeking access to?”

You responded: “I am seeking the documents from the Referendum which must have taken place to enable the Government to make substantive changes to the original Act.”

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.

Decision

I confirm that you are seeking information on legislative amendments and note that the *Australian Capital Territory (Self-Government) Act 1988* is administered by the Federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts. Freedom of information applications can be made to this Department via:

FOI@infrastructure.gov.au.

Per section 53 of the Act, I confirm information relevant to the scope is not held by the Justice and Community Safety Directorate.

53 Content of notice – information not held by respondent

If an access application relates to government information that is not held by the respondent, the decision notice must state that the information is not held by the respondent.

Online publishing – disclosure log

Under section 28 of the Act, JACS maintains an online record of access applications called a disclosure log. Your access application and my decision in response to your access application

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will be published on the JACS disclosure log no later than 10 days after the decision. Your personal contact details will not be published.

You may view the JACS' disclosure log at: <https://www.justice.act.gov.au/disclosure-log>

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 on the JACS disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

The review of decision application form is available at:

https://www.ombudsman.act.gov.au/data/assets/pdf_file/0026/79190/Apply-for-Ombudsman-review.pdf

If you have any queries concerning the directorate's processing of your request, or would like further information, please contact JACSFOI@act.gov.au or phone (02) 6207 2167.

Yours sincerely



Bianca Kimber
Information Officer
11 December 2023