



OFFICE OF THE OFFICIAL SECRETARY
TO THE GOVERNOR-GENERAL

Mr Justin Kavanagh
mailto:foi+request-1567-9c7646e9@righttoknow.org.au

Dear Mr Kavanagh

RE: Application under the *Freedom of Information Act 1982* (FOI Act)

I refer to your application of 22 February 2016 in which you make a request under the Commonwealth *Freedom of Information Act 1982* (FOI Act) for:

"... a copy of a letter, dated on or about 2 August 2015, submitted by The Honourable Bronwyn Bishop MP to His Excellency the Governor General. The subject of this letter is the resignation of Mrs Bishop as Speaker of the House of Representatives.

I further request a copy of any reply sent to Mrs Bishop by the Governor General, or by His Excellency The Honourable Paul de Jersey acting in his capacity as Administrator of the Commonwealth, accepting Mrs Bishop's resignation.

As precedent for this request, I refer to previous correspondence to the Governor General released by this Office, referring to the resignation of former Prime Minister The Honourable Julia Gillard on 26 June 2013. This information is still hosted on this Office's website at the following address: <https://www.gg.gov.au/media-release/correspondence-governor-general-hon-julia-gillard-mp-and-hon-kevin-rudd-mp-26-and-27-june-2013>."

This letter sets out my decision on your request for access. I am the authorised decision-maker under section 23 of the FOI Act.

Material taken into account

In making my decision, I have had regard to the following:

- the terms of your request;
- the content of the document to which you sought access;
- advice from Agency officers with responsibility for matters relating to the documents to which you sought access;
- the relevant provisions of the FOI Act; and
- the Commonwealth's guidelines on FOI.

employment under that section shall be taken to be in the possession of the Official Secretary to the Governor-General.

Decision

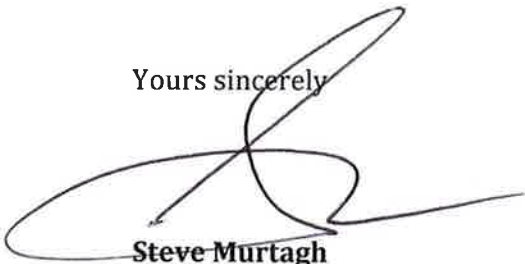
In relation to your request for information, I have identified no documents in respect of your request to which the FOI Act applies. Accordingly I advise that I must deny your request.

In explanation, documents of the nature you request relate to the substantive powers and functions of the Governor-General and accordingly are not documents that relate to matters of an administrative nature within the meaning of s 6A of the FOI Act. They therefore do not fall within the scope of the FOI Act.

Review rights

You are entitled to seek review of this decision. Your rights are set out at **Attachment A** to this letter.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Steve Murtagh', written over the printed name.

Steve Murtagh
Deputy Official Secretary
21 March 2016

ATTACHMENT A—INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act (the Act) gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

Application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed. Application for review of the decision should be addressed to:

The Official Secretary to the Governor-General
Government House
CANBERRA ACT 2600

OR

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

Section 54L of the 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.

Applications for review must be in writing and:

- 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
GPO Box 2999
CANBERRA ACT 2601

Or by email to: enquiries@oaic.gov.au

OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the 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 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
GPO Box 2999
CANBERRA ACT 2601

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.