



3 June 2016

FOI Ref: 1904

Mr Patrick Conheady  
Right to Know

By email: [foi+request-1922-11f3f473@righttoknow.org.au](mailto:foi+request-1922-11f3f473@righttoknow.org.au)

Dear Mr Conheady

### **FREEDOM OF INFORMATION (FOI) REQUEST**

I refer to your FOI request to this department dated 6 May 2016. Your request reads as follows:

*'Please provide the National Accounts Forecasting Framework (NAFF) spreadsheets, as referred to in the report of the Tease review ('Review of Treasury's Macroeconomic Forecasting Capabilities') released 8 March 2016, in their original machine-readable form, including all formulas.'*

I am an authorised decision maker under section 23 of the *Freedom of Information Act 1982* (the Act).

#### **Materials Relevant to Making of Decision**

The material to which I have had regard in making my decision in this matter includes:

- the terms of your FOI request;
- advice provided by other Treasury officers;
- the relevant provisions of the Act;
- guidelines issued by the Australian Information Commissioner; and
- the contents of the documents you have requested.

#### **Decision**

I have identified documents held by this department which come within the scope of your request. However, I have decided not to grant you access to them. Further information regarding my decision is set out below.

#### **Section 26**

Section 26 of the Act provides that where an agency refuses to grant access to material in response to a request made under the Act, it must provide the applicant with a written statement setting out the decision maker's findings on material questions of fact, the material on which those findings are based and the reasons for the decision. Such information in relation to my decision in this matter is set out below.

### Findings on Material Questions of Fact

My finding on material questions of fact is that the documents you have requested are wholly comprised of economic forecasts and predictions upon which important government decisions are based. The material essentially consists of opinions on what certain economic conditions will be in the future.

### Material on Which Those Findings are Based

The material on which the above finding is based consists of the documents themselves.

### Reasons for the Decision

The reason for my decision to refuse access to the documents requested by you is that they are, in my view, conditionally exempt under section 47C of the Act and their disclosure would, on balance, be contrary to the public interest. Further details are set out below.

### **Section 47C**

Section 47C provides that a document is conditionally exempt if its disclosure would disclose matter (deliberative matter) in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place in the course of, or for the purposes of, the deliberative processes involved in the functions of an agency or a Minister.

I have found that the documents you have requested consist of 'deliberative material' for the purposes of section 47C of the Act – that is, advice, predictions and opinions obtained and prepared in the course of, and for the purposes of, the deliberative processes involved in the functions of the Treasury. Accordingly, that material is, in my view, conditionally exempt under section 47C.

### **Section 11A(5) - Public Interest Arguments**

Section 11A(5) provides that conditionally exempt material must nevertheless be released unless its disclosure would, on balance, be contrary to the public interest. Section 11B(3) of the Act sets out public interest factors that are regarded as favouring release and section 11B(4) sets out factors that must *not* be taken into account in this process. Guidelines issued by the Australian Information Commissioner - to which regard must be had in making decisions of this nature - also set out factors in favour of release and factors against release.

I have had regard to the public interest factors favouring disclosure of the conditionally exempt material such as promotion of the objects of the Act, promotion of public participation in government decision-making and the benefits of informed public debate based on accurate information. I have also considered factors against disclosure of the material such as the effect it might have on the effectiveness and usefulness of future policy development and decision making processes within government. I have *not* taken into account any of the matters set out in section 11B(4) of the Act.

I have carefully weighed the factors for and against disclosure of this material. In my view, the factors against disclosure outweigh the factors in favour of disclosure. I therefore consider that disclosure of the material would, on balance, be contrary to the public interest. My reasons for coming to that conclusion are set out below.

The information contained in the National Accounts Forecasting Framework (NAFF) includes a large amount of detailed information with forecasts and assumptions for a large number of economic variables, including interest rates, exchange rates and other prices. This information is unpublished but underpins the published Budget economic forecasts. The NAFF contains information that could affect market participants' expectations regarding economic activity and lead to decisions that influence financial markets, including

foreign exchange markets. Disclosure could be expected to have a substantial adverse effect on Australia's economy through its impact on financial markets and could affect confidence and investment decisions.

I also consider that disclosure of the material could hamper and prejudice future policy development, decision making and advisory processes carried out within government. It is important that such functions being carried out in a candid and confidential manner. The disclosure of such confidential advice would, in my view, make the provision of such advice to ministers in the future considerably more difficult. This would in turn, in my view, have an adverse effect of the effectiveness and soundness of future decision making processes of that type. It would, therefore, not be in the interests of good government. It follows that disclosure would, on balance, be contrary to the public interest.

**Rights of Review**

A statement setting out your rights of review in this matter is attached.

Yours sincerely



Christine Barron  
Division Head  
Macroeconomic Conditions Division



## **INFORMATION ON RIGHTS OF REVIEW**

### **1. APPLICATION FOR INTERNAL REVIEW OF DECISION**

Section 54 of the Freedom of Information 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 a review of the decision should be addressed to:

The Secretary  
The Treasury  
Langton Crescent  
PARKES ACT 2600  
Attention: Parliamentary and Legal Services Unit

**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 must:

- 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  
Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

**AND/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  
Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

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.