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FOI ref: 201617/24

James Smith

foi+request-2120-b16341c3@righttoknow.org.au

Dear Mr Smith

FREEDOM OF INFORMATION REQUEST

I refer to your email of 10 August 2016 in which you sought access under the *Freedom of Information Act 1982* (FOI Act) to legal advice used by the Australian Statistician to refute claims that there is no legal requirement to provide a name on the Census (**Attachment A**).

Response to your request

I am an authorised decision maker under section 23 of the FOI Act.

Any documents in scope of your request have been obtained by the ABS in confidence and under the common law protection of legal professional privilege. Section 42 of the FOI Act provides that '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 grounds of legal professional privilege'.

As your request pertains to such exempt documents only, no access will be granted.

There is no charge for this request.

If you have any queries on this matter please contact the ABS FOI Contact Officer, at freedomofinformation@abs.gov.au or on (02) 6252 7203.

Yours sincerely

Christine Williams
Program Manager
Governance & Parliamentary Liaison Branch
Australian Bureau of Statistics

24 August 2016

Dear Australian Bureau of Statistics,

The Australian Statistician has publicly refuted claims made by others that there is no legal requirement to provide a name on the census.

I request a copy of the legal advice upon which the Statistician has arrived at this conclusion.

Yours faithfully,

James Smith

Please use this email address for all replies to this request:
foi+request-2120-b16341c3@righttoknow.org.au

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