



Australian Government
Civil Aviation Safety Authority

LEGAL AFFAIRS, REGULATORY POLICY
AND INTERNATIONAL STRATEGY

TRIM Ref: F16/5732

7 December 2016

Mr Rob Cumming

Via email: Rob Cumming foi+request-2788-7523e656@righttoknow.org.au

Dear Mr Cumming,

ACCESS TO DOCUMENTS UNDER THE *FREEDOM OF INFORMATION ACT 1982*

I refer to your email dated 28 November 2016 seeking access to documents under the *Freedom of Information Act 1982* (Cth) (the Act). Your request is as follows:

The following documents are being sought for the purposes of the Freedom of information Act.

All documents what-so-ever including but not limited to:

- Correspondence;
- File Notes;
- Meeting Notes;
- Internal Memo's;
- Diary/ calendar entries;
- Telephone records;
- All data electronically collected, being by mobile phone, Dictaphone, tape recorder or mp3/4 recorder or other means · E-mails; All database entries including entries into Sky Sentinel, TRIM and AIRS; · Images; Individual FOI [Flight Operation Inspector], AWI comments and resulting documentation; All supervisory staff records relating to the matter; If referred to the CASA Board, all related Board minutes, discussions and recommendations made to advise CASA as to direction for the Board in relation to this.

In relation to:

Civil Aviation Order 100.5 (General requirements in respect of maintenance of Australian aircraft) 2011 (as amended) and

Project MS 08/20 - Amendment of CAO 100.5 to include mandatory maintenance requirements currently promulgated in Australian unique ADs.

I am an officer authorised under section 23(1) of the Act to make decisions in relation to freedom of information requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size and broad scope. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

I have decided that a practical refusal reason exists because:

- Searches relating to your request have identified in excess of 700 pages of records, including, but not limited to:
 - Emails between CASA officers;
 - Drafting instructions;
 - Consultation documents.
- Reviewing and indexing these documents could be expected to take more than a week and we may be required to consult with additional third parties, but this would not be known until the documents in scope are reviewed in detail;
- If consultation was required in this instance it may be time intensive depending on the number of parties to consult with. It may take a significant amount of time to prepare a redacted version for each party, manage correspondence and responses, and finally, assess each consultation response prior to making a decision on the release of documents; and
- In reviewing the types of documents identified to date, exemptions may be applied. Some internal CASA emails may contain material subject to legal professional privilege. Other documents may contain information relating to the business affairs of parties involved, and personal information. Due to the sensitivity of some documents, it is expected that additional time will be required to apply appropriate redactions and/or exempt documents.
- To demonstrate the work involved in processing this request, based on the number of pages and parties to consult with, it would take a minimum of 125 hours to examine the documents (without conducting consultation), and fees of approximately \$2,754.00 would be payable.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, CASA may be able to pinpoint specific documents more quickly and avoid using excessive resources to process documents you are not interested in.

Before the end of this consultation period, you must do 1 of the following, in writing:

1. withdraw your request

2. make a revised request
3. tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the contact person I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, I will recommence processing it (please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request).

If you do not do 1 of the 3 things above during the consultation period or you do not consult me as the contact officer during this period, your request will be taken to have been withdrawn.

Contact officer

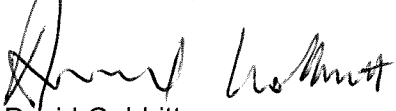
If you would like to revise your request or have any questions, I am the contact officer for your request, and am contactable as detailed below:

Phone: 02 6217 1281, Fax: 02 6217 1607

Email: david.gobbitt@casa.gov.au

Mail: GPO Box 2005, Canberra ACT 2601

Yours sincerely,



David Gobbitt

A/g Freedom of Information Coordinator

Legal Affairs, Regulatory Policy and International Strategy Branch

Email address: david.gobbitt@casa.gov.au