Australian Government

Department of Human Services

29 March 2017

Our reference: LEX 28337

Mr Justin Warren

By email: foi+request-3231-c63e03ef@righttoknow.org.au

Dear Mr Warren

Freedom of Information Request - Third Party Consultation

I refer to your request dated 14 March 2017 and received by the Department of Human Services (the **department**) on the same day, for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following:

> 'I request a copy of the Non Employment Income Data Matching (NEIDM) project's program protocol that is mentioned in the Commonwealth Gazette dated August 2016.'

Third-party consultation - business documents

As your request covers documents which contain information concerning the business, commercial or financial affairs of an organisation, or a person's business or professional affairs, the department is required to consult with the person or organisation concerned (under section 27 of the FOI Act) before making a decision on the release of those documents.

For this reason the period for processing your request has been extended by 30 days in order to allow the department time to consult with that person or organisation (section 15(6) of the FOI Act). The processing period for your request will now end on 15 May 2017.

The consultation mechanism under section 27 applies when the department considers the person or organisation concerned may wish to contend that the requested documents are exempt because their release would disclose trade secrets or commercially valuable information or may adversely affect their business or financial affairs. The department will take into account any comments we receive from the person or organisation. However, the final decision on whether to grant you access to the documents requested rests with this department.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@humanservices.gov.au.

Yours sincerely

Authorised FOI Decision Maker
Freedom of Information Team
FOI and Litigation Branch | Legal Services Division
Department of Human Services