



## Australian Government

### Department of Finance

Reference: FOI 17/53  
Contact: FOI Team  
Telephone: (02) 6215 1783  
e-mail: [foi@finance.gov.au](mailto:foi@finance.gov.au)

Mr Richard Smith  
Right to Know

via email: [foi+request-3246-42f21afb@righttoknow.org.au](mailto:foi+request-3246-42f21afb@righttoknow.org.au)

Dear Mr Smith

### Freedom of Information Request – FOI 17/53

Thank you for your email to the Department of Finance (**Finance**) in which you sought access to the following under the *Freedom of Information Act 1982 (FOI Act)*.

*... information relating to the booking, mode of transport and cost of the travel for The Hon Josh Frydenberg MP, the Minister of Environment & Energy to attend a press conference in Adelaide on 16th March 2017.*

*Specifically the information I am requesting is:*

- a) The date and time that the Minister's travel to Adelaide was booked;*
- b) The date and time that the Minister travelled to Adelaide;*
- c) The manner of the Minister's travel to Adelaide and the cost of this travel;*
- d) The total cost of travel & accommodation for the Minister & any accompanying staff while in Adelaide on his visit on and around 16th March 2017 (including commonwealth car or hire cars, hotel accommodation, meals etc);*
- e) The date and time that the Minister's travel from Adelaide to his next destination on or after 16th March 2017 was booked;*
- f) The date and time that the Minister travelled from Adelaide on or after 16th March 2017 to his next destination;*
- g) The manner of travel from Adelaide on or after 16th March 2017 to his next destination and the cost of this travel; and*
- h) The details a through g above for any of the Minister's staff that travelled with the Minister for the trip to Adelaide on or around the 16th March 2017.*

### Decision

I have identified one document falling within the scope of your request. I have decided to release that document, in full. In accordance with subsection 23(1) of the FOI Act, I am authorised to make a decision regarding access under the FOI Act.

Please find a schedule of documents at [Attachment A](#).

## **Charges**

On 5 April 2017, Finance sent you an estimate of charges (**\$43.80**) in relation to the processing of your request.

On 10 April 2017, Finance received a contention to the charges letter. I have reviewed the estimate and can confirm that the estimated cost is a true account of the actual time spent processing your request. As such, there will be no change to the charge. On 10 May 2017, Finance affirmed the original estimate of charges.

On 23 May 2017 Finance received payment of a deposit of charges (\$20.00). The document will not be released until the remaining amount of the charges (**\$23.80**) have been paid.

## **Review and appeal rights**

You are entitled to request an internal review or a review by the Office of the Australian Information Commissioner (**OAIC**) of my decision. The process for review and appeal rights is set out at Attachment B.

## **Third party review rights**

As affected third parties have contended that the disclosure of their personal information would be unreasonable and objected to release of some of the documents, I am required, in accordance with section 27A(5) of the FOI Act, to advise those parties of my decision to release parts of the documents and give them the opportunity to seek a review of the decision either by Finance or the Office of the Australian Information Commissioner (OAIC), insofar as those documents relate to them.

The third parties have 30 days in which to seek review or lodge an appeal. The documents that I have decided to release cannot be released to you until this time period has expired, or where the third parties lodge an internal review or appeal to the OAIC, until that review or appeal has been completed.

## **Publication**

The FOI Act requires Commonwealth agencies to publish:

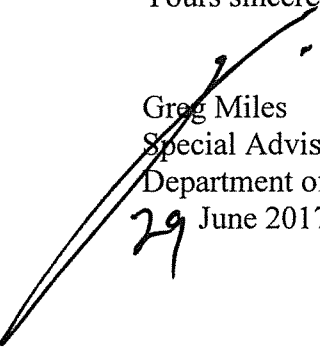
- information in documents to which the agency routinely gives access in response to FOI requests except where that information is exempt under the FOI Act and
- information in documents released under the FOI Act.

Subject to certain exceptions, any documents provided to you under the FOI Act will be published on Finance's FOI Disclosure Log ([www.finance.gov.au](http://www.finance.gov.au)) as soon as possible. Finance's policy is to publish the documents within one working day after they are released to you.

**Further Information**

If you have any questions in regards to this request, please contact the FOI Team on the above contact details.

Yours sincerely,



Greg Miles  
Special Adviser, Ministerial and Parliamentary Services Division  
Department of Finance

29 June 2017

ATTACHMENT A

SCHEDULE OF DOCUMENTS RELEVANT TO FOI REQUEST No. 17/53

Document No.	Date of Document	No. of Pages	Author	Addressee	Description of Document	Decision
1	16 March 2017	2	Finance	N/A	Travel Log	Release in full



## Australian Government

### Department of Finance

## Freedom of Information – Your Review Rights

If you disagree with the decision made by the Department of Finance (Finance) under the *Freedom of Information Act 1982* (the FOI Act), you can ask for the decision to be reviewed. You may want to seek review if you sought certain documents and were not given full access, if you have been informed that there will be a charge for processing your request, if you have made a contention against the release of documents that has not been agreed to by the Department, or if your application to have your personal information amended was not accepted. There are two ways you can ask for review of a decision: internal review by Finance, or external review by the Australian Information Commissioner.

### Internal Review

If Finance makes an FOI decision that you disagree with, you can ask Finance to review its decision. The review will be carried out by a different agency officer, usually someone at a more senior level. There is no charge for internal review.

You must apply within 30 days of being notified of the decision, unless Finance agrees to extend the application time. You should contact Finance if you wish to seek an extension.

Finance is required to make a review decision within 30 days. If Finance does not do so, the original decision is considered to be affirmed.

### How to apply for internal review

You must apply in writing and should include a copy of the notice of the decision provided and the points you are objecting and why. You can lodge your application in writing through one of the contact details provided at the end of this document.

### Review by the Australian Information Commissioner (IC)

The IC is an independent office holder who can review the decisions of agencies and ministers under the FOI Act. The IC can

review access refusal decisions (s 54L(2)(a) of the FOI Act), access grant

decisions (s 54M(2)(a)), refusals to extend the period for applying for internal review under s 54B (s 54L(2)(c)), and agency internal review decisions under s 54C (ss 54L(2)(b) and 54M(2)(b)).

If you are objecting to a decision to refuse access to documents, impose a charge or refuse to amend a document, you must apply to the IC within 60 days of being given notice of the decision. If you are objecting to a decision to grant access to another person, you must apply within 30 days of being notified of that decision.

### Do I have to go through Finance's internal review process first?

No. You may apply directly to the IC. However, going through Finance's internal review process gives Finance the opportunity to reconsider its initial decision, and your needs may be met more quickly without undergoing an external review process.

### Do I have to pay?

No. Review by the IC is currently free.

### ***How do I apply?***

You must apply for IC review in writing and you can lodge your application in one of the following ways:

**Post:** Office of the Australian Information  
Commissioner  
GPO Box 2999  
CANBERRA ACT 2601  
**Email:** [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
**Fax:** 02 9284 9666  
**In person:** Level 3  
175 Pitt Street  
SYDNEY NSW 2000

An electronic application form is also available on the OAIC's website ([www.oaic.gov.au](http://www.oaic.gov.au)). Your application should include a copy of the notice of the decision that you are objecting to (if one was provided), and your contact details. You should also set out why you are objecting to the decision.

### ***Making a complaint***

You may make a written complaint to the IC about actions taken by Finance in relation to your application. However, if you are complaining that a Finance decision is wrong, it is treated as an application for review. For further information, see [FOI fact sheet 13 – Freedom of Information: How to make a complaint](#).

### ***When can I go to the Administrative Appeals Tribunal (AAT)?***

Under the FOI Act, you must seek external review through the IC prior to applying to the AAT for such a review. The fee for lodging an AAT application is currently \$884 (from 1 July 2016), although there are exemptions for health care and pension concession card holders and the AAT can waive the fee on financial hardship grounds.

### ***Investigation by the Ombudsman***

The Commonwealth Ombudsman can also investigate complaints about action taken by agencies under the FOI Act. However, if the issue complained about either could be or

has been investigated by the IC, the Ombudsman will consult the Commissioner to avoid the same matter being investigated twice. If the Ombudsman decides not to investigate the complaint, then they are to transfer all relevant documents and information to the IC.

The IC can also transfer a complaint to the Ombudsman where appropriate. This could occur where the FOI complaint is only one part of a wider grievance about an agency's actions. It is unlikely that this will be common. You will be notified in writing if your complaint is transferred.

Applications to the Ombudsman should be directed to the following address:

**Post:** Commonwealth Ombudsman  
PO Box 442  
CANBERRA ACT 2601  
**Phone:** 02 6276 0111  
1300 362 072

#### **Finance FOI contact details**

FOI Coordinator  
Legal and Assurance Branch  
Department of Finance  
One Canberra Avenue  
FORREST ACT 2603  
**Phone:** 02 6215 1783  
**Email:** [foi@finance.gov.au](mailto:foi@finance.gov.au)  
**Website:** [www.finance.gov.au/foi/foi.html](http://www.finance.gov.au/foi/foi.html)