



**Australian Government**  
**Department of Social Services**

Sandra Legro  
via Right to Know

By email: [foi+request-4164-475ecee@righttoknow.org.au](mailto:foi+request-4164-475ecee@righttoknow.org.au)

Dear Ms Legro

**Freedom of Information (FOI) Request No. 17/18-043**

1. I refer to your correspondence to the Department of Human Services dated 18 October 2017, in which you requested access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

*How many people currently reside in a postcode declared via instrument to be a trial area for the purposes of the cashless welfare card trials, collect a restrictable declared payment yet are not subjected to the welfare card. To be clear how many people have been removed from the trial due to various reasons including but limited to not being suitable for the trial.*

2. On 23 October 2017, the Department of Human Services requested that the Department of Social Services (the Department) take transfer of this request and on 24 October 2017, the Department agreed to do so.
3. I am authorised to make decisions under subsection 23(1) of the FOI Act and the following is my decision in relation to your request.

**Decision on access to documents**

4. I have consulted with officers in the relevant Branch of the Department and they have advised me that the requested information is not available in a discrete form in written documents held by the Department.
5. The relevant Branch has advised that while the information is not available in a discrete form, it is available for extraction from other information held by the Department.
6. Section 17 of the FOI Act deals with requests involving the use of computers and provides as follows:

*(1) Where:*

- (a) a request (including a request in relation to which a practical refusal reason exists) is made in accordance with the requirements of subsection 15(2) to an agency;*
- (b) it appears from the request that the desire of the applicant is for information that is not available in discrete form in written documents of the agency; and*
- (ba) it does not appear from the request that the applicant wishes to be provided with a computer tape or computer disk on which the information is recorded; and*

(c) *the agency could produce a written document containing the information in discrete form by:*

- (i) *the use of a computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information; or*
- (ii) *the making of a transcript from a sound recording held in the agency;*

*the agency shall deal with the request as if it were a request for access to a written document so produced and containing that information and, for that purpose, this Act applies as if the agency had such a document in its possession.*

7. Accordingly, the Department can provide the requested information as follows:

As at 25 August 2017, 43 individuals have been exempted from the Cashless Debit Card program in Ceduna and the East Kimberley.

#### **Rights of review**

- 8. Information about your rights of review under the FOI Act is set out at **Attachment A**.
- 9. If you have any enquiries concerning this matter, please do not hesitate to contact the FOI Team on [foi@dss.gov.au](mailto:foi@dss.gov.au).

Yours sincerely



FOI Team  
Government and Executive Services Branch  
Corporate Services Group

17 November 2017

## Your rights of review

### Internal Review

Section 54 of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter. No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: Freedom of Information (FOI) Team  
Government and Executive Services Branch  
Department of Social Services  
GPO Box 9820  
CANBERRA ACT 2601

Email: [foi@dss.gov.au](mailto:foi@dss.gov.au)

### External Review by the Australian Information Commissioner

Section 54L of the FOI Act gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC's website at [www.oaic.gov.au](http://www.oaic.gov.au), within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision.

You can also complain to the AIC about how an agency handled an FOI request, or other actions the agency took under the FOI Act. Applications for review or complaint can be lodged in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: GPO Box 5218  
SYDNEY NSW 2001

Fax: +61 2 9284 9666

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

In person: Level 3  
175 Pitt Street  
SYDNEY NSW 2000

