



Australian Government
Department of Home Affairs

10 September 2018

Dr Anthea Vogl

BY EMAIL: foi+request-4554-846bf921@righttoknow.org.au

In reply please quote:

FOI Request: FA 18/05/00521

File Number: ADF2018/53086

Dear Dr Vogl,

Notice under s.24AB of the Freedom of Information Act 1982

I refer to your request via Right to Know, received on 2 May 2018 in which you request access to documents held by the Department of Home Affairs (Department) under the *Freedom of Information Act 1982* (the FOI Act).

I apologise for the Department's delay in responding to your request.

You have requested access to:

1. *All submissions received in response to the Proposed Pilot of a Private/Community Refugee Sponsorship Program Discussion Paper (Department of Immigration and Border Protection, June 2012) [‘the 2012 Discussion Paper’].*
2. *The total number of submissions received in response to the 2012 Discussion Paper and the authoring organisation or person.*
3. *Any information, records, paper documents, electronic records, or the contents of any records, paper documents or electronic records (including copies of such records and documents), held or accessible by the Department of Home Affairs [‘the Department’] in relation to:*
 - a. *Outlining, documenting or summarising submissions received in response to the 2012 Discussion Paper.*
 - b. *Appraising or assessing the submissions received in response to the 2012 Discussion Paper.*
 - c. *Reporting on the Department's response to submissions received in response to the 2012 Discussion Paper; including but not limited to documents addressing which submissions and/or recommendations were accepted, rejected or considered to be outside the terms of the discussion paper.*

Purpose of this notice

The purpose of this notice is to advise you (as required under s.24AB of the Act) that I consider that a 'practical refusal reason' exists under s. 24AA of the Act and that I am considering refusing access to the documents in the form requested, as provided under s.24 of the Act. My reasons

are set out in this notice. You are invited to contact me to alter or narrow the scope of your request to ensure that no 'practical refusal reasons' apply.

Advice regarding practical refusal reasons

The Act contains two *practical refusal reasons*. The first is that processing the request *would substantially and unreasonably divert the resources of the agency from its other operations* (s.24AA(1)(a)).

An agency may also refuse an FOI request if the agency is satisfied that the request does not *provide such information concerning the document as is reasonably necessary to enable a responsible officer of the agency to identify the document in question* (s.24AA(1)(b)).

It is the Department's view that where it appears that a request under the Act for access to documents is likely to take an unreasonable amount of time to complete, the request should be assessed under s.24AA(1) of the Act to determine whether a practical refusal reason exists in relation to the request. This balances the right of applicants to seek information under the Act with the Department's need to appropriately allocate resources to its functions.

Application of s.24AA of the FOI Act to your request

It is my view that the request, as it currently stands, satisfies the first practical refusal reason because it would take an unreasonable amount of time to assess the documents.

The relevant business area of the Department advise that there are approximately 130 documents in scope of your request containing over 500 pages in total.

I estimate that it would take approximately five minutes to assess each page of the relevant documents totalling to approximately **41 hours**.

Request Consultation Process

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

Under section 24AB of the FOI Act, you have 14 days to respond to this notice in writing and advise me whether:

- you wish to make a revised request;
- indicate that you do not wish to revise your request; or
- withdraw your request.

If you do not do one of the three things listed above during the consultation period by **close of business, 24 September 2018**, or you do not consult with me during this period, your request will be taken to have been withdrawn in accordance with section 24AB(7) of the FOI Act. You may request that I extend the consultation period if you wish, by writing to me before the end of the consultation period at foi@homeaffairs.gov.au, (s.24AB(5)).

(signed electronically)

Freedom of Information Officer
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Freedom of Information and Records Management Branch
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