



6 November 2018

Our ref: FOI 2018/61

Mr Richard Smith
Right to Know

Via Email: foi+request-4863-042aeb72@righttoknow.org.au

Dear Mr Smith,

FREEDOM OF INFORMATION REQUEST

I refer to your email of **5 October 2018**, which contained a request, pursuant to the *Freedom of Information Act 1982* (Cth) (FOI Act), for access to:

- a) Documents relating to advice provided by the CSIRO in the period 1 January 2017 to 30th April 2018 to the Minister of Environment and Energy, or representatives of the Minister's office regarding initiatives to protect the Great Barrier Reef; and*
- b) Documents relating to the CSIRO's scientific and conservation management policy in regards to the Great Barrier Reef in force as at 1st March 2018; and*
- c) Documents relating to the CSIRO's policy in force as at 1st March 2018 on funding scientific, conservation or restoration activities, research and grants specifically focused on the Great Barrier Reef; and*
- d) Documents relating to any request for information from the Minister of Environment and Energy, or representatives of the Minister's office to the CSIRO regarding scientific, conservation, restoration or data management of the Great Barrier Reef in the period 1 January 2017 to 30th April 2018."*

Decision maker

I am an authorised decision maker under section 23 of the FOI Act. This letter sets out my decision and reasons for the decision in relation to your request.

Decision:

CSIRO notes that pursuant to section 24A of the FOI Act, your request is refused, on the basis that the document[s] sought do not exist or cannot be found.

Searches

CSIRO notes, the scope of your request relates to a specific time frame and a specific type of document e.g. policies. An initial search by key word did identify a significant number of documents, but after inspection none of those documents met the scope of your request.

CSIRO searched relevant areas including CSIRO central records system, CSIRO Officers in relevant Business Units (Environment) and CSIRO Ministerial and Parliamentary Liaison Office (MPLO).

Rights of Review

In accordance with section 26(1)(c) of the FOI Act, a statement setting out your rights of review under the Act is at **Attachment A**, noting application for review of a s 24A decision would be limited to a situation where you consider that I have not identified all the documents in the CSIRO's possession that are relevant to your request.

Kind regards,

A handwritten signature in black ink, appearing to read 'Beth Maloney', written over the printed name.

Beth Maloney
Senior Legal Counsel,
CSIRO

Review rights

You are entitled to seek review of this decision.

Internal Review

Firstly, under section 54 of the FOI Act, you may apply for an internal review of the decision. Your application must be made by whichever date is the later between:

30 days of you receiving this notice; or 15 days of you receiving the documents to which you have been granted access.

An internal review will be conducted by a different officer from the original decision-maker. No particular form is required to apply for review although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned. An application for a review of the decision should be addressed to:

FOI@csiro.au

If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

External review by the Australian Information Commissioner

Alternatively, under 54L of the FOI Act, you may seek review of this decision by the Australian Information Commissioner without first going to internal review. Your application must be made within 60 days of you receiving this notice.

The Information Commissioner is an independent office holder who may review decisions of agencies and Ministers under the FOI Act. More information is available on the Information Commissioner's website www.oaic.gov.au.

You can contact the Information Commissioner to request a review of a decision online or by writing to the Information Commissioner at:

GPO Box 2999
Canberra ACT 2601

Complaints to Ombudsman or Information Commissioner

You may complain to either the Commonwealth Ombudsman or the Information Commissioner about action taken by CSIRO in relation to the application. The Ombudsman will consult with the Information Commissioner before investigating a complaint about the handling of an FOI request.

Your enquiries to the Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)

Email ombudsman@ombudsman.gov.au

Your enquiries to the Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email enquiries@oaic.gov.au

There is no particular form required to make a complaint to the Ombudsman or the Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify CSIRO as the relevant agency.