

s.22

**From:** FOI  
**Sent:** Thursday, 31 January 2019 12:06 PM  
**To:** s.47F  
**Subject:** FOI Consultation Dept of Jobs - Draft documents - Ref: C18/1318 [DLM=Sensitive:Legal]  
**Attachments:** Marked up docs 30 Jan 19.pdf; s.22

**Categories:** Do Ack and scope

**Sensitive: Legal**

LIMITED DISTRIBUTION

Good afternoon s.47F

I refer to my email of yesterday, below.

Please find attached a *draft* marked up copy of the documents in the form proposed for release. (Attachment 1). Please note, the redactions are not finalised at this point as I am meeting with the decision maker early next week to discuss further. Once the redactions are finalised, I will provide you with a redacted copy.

It is our intention to take the same approach as previously in the processing of the request received last September. We have taken your previous submissions into consideration in the processing of this new request, and have applied redactions to the documents as outlined in your submissions, in most cases. Given that a lot of the attachments have now fallen away with the reduction in the scope of the request, you and your business area may wish to take a fresh look at the documents. s.22

s.22

Happy to discuss if you have any concerns.

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

Australian Public Service Commission  
Level 4, B Block, Treasury Building  
Parkes Place West, Parkes ACT 2600  
**P:** 02 6202 3707 | **E:** [karen.tulloch@apsc.gov.au](mailto:karen.tulloch@apsc.gov.au)

NB: I work from Tuesdays to Fridays.

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**From:** FOI  
**Sent:** Wednesday, 30 January 2019 3:06 PM  
**To:** s.47F  
**Cc:** FOI <FOI@apsc.gov.au>  
**Subject:** RE: Related request C18/1318 - Consultation with Dept of Jobs- Ref: C18/1318 [DLM=For-Official-Use-Only]

**For Official Use Only**

Good afternoon s.47F

I refer to your email below. You will recall that you provided comments and submissions in response to a request for consultation.

The Australian Public Service Commission received a new FOI request in relation to similar subject matter.

The applicant has recently paid the charges deposit relevant to this similar FOI request. As a result, we have re-considered your submissions with the new FOI request in mind. However, please note, that the new request does not include any attaching documents to email communications between Mr John Lloyd, and Mr Nigel Hadgkiss. The original FOI request captured 132 pages of material. This has now been reduced to 76 pages.

We are currently in the process of finalising the FOI decision which will be due for release to the applicant by **11 February 2019**.

Once the Decision maker has finalised drafting the access decision and marking up the documents, we will forward a copy to you for your comments, prior to release to the applicant. I hope to have the draft documents to you later this week.

In the meantime, if you have any questions, please do not hesitate to contact our office.

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

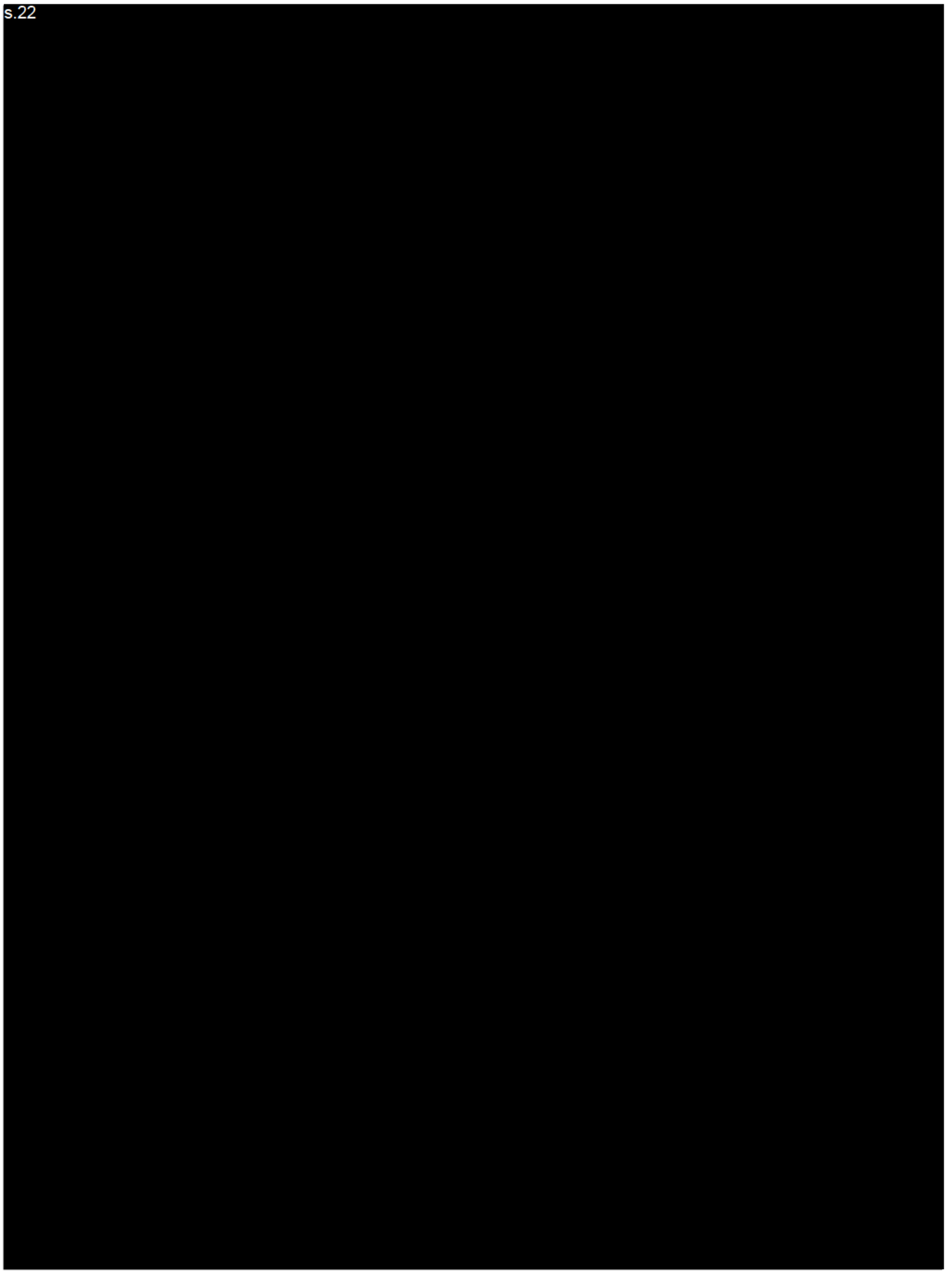
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s.22







s.22

**From:** s.47F  
**Sent:** Thursday, 21 March 2019 8:16 AM  
**To:** TULLOCH, Karen; DONOVAN, Charmaine  
**Cc:** s.47F  
**Subject:** RE: FOI Consultation - ABCC submissions - Ref: C18/1974 [DLM=Sensitive:Legal]  
**Categories:** Do Ack and scope

**Sensitive: Legal**

Dear Karen and s.47F

Please note that I will be on annual leave for the next three weeks.

The ABCC contact for this matter is s.47F

Kind regards

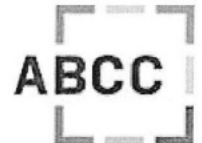
s.47F

s.47F

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**Hotline:** [1800 003 338](tel:1800003338) | **Web:** [abcc.gov.au](http://abcc.gov.au)



**Australian Government**  
**Australian Building and  
Construction Commission**



**From:** s.47F  
**Sent:** Wednesday, 6 February 2019 2:29 PM  
**To:** FOI <FOI@apsc.gov.au>; TULLOCH, Karen <Karen.Tulloch@apsc.gov.au>; s.47F  
s.47F  
**Subject:** RE: FOI Consultation - ABCC submissions - Ref: C18/1974 [DLM=Sensitive:Legal]

**Sensitive: Legal**

Dear Karen and s.47F

Please find **attached** the ABCC's submissions in relation to this matter.

Kind regards

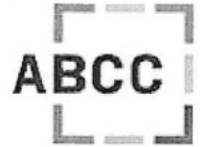
s.47F

s.47F

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Australian Building and  
Construction Commission



From: FOI <FOI@apsc.gov.au>

Sent: Thursday, 31 January 2019 12:09 PM

To: s.47F

Subject: RE: Revised attachment - FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

Hi s.47F

Could we work towards COB 6<sup>th</sup> February if possible for submissions.

Many thanks

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

Australian Public Service Commission  
Level 4, B Block, Treasury Building  
Parkes Place West, Parkes ACT 2600  
P: 02 6202 3707 | E: [karen.tulloch@apsc.gov.au](mailto:karen.tulloch@apsc.gov.au)

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s.22

**From:** s.47F  
**Sent:** Wednesday, 6 February 2019 2:29 PM  
**To:** FOI; TULLOCH, Karen; s.47F  
**Subject:** RE: FOI Consultation - ABCC submissions - Ref: C18/1974 [DLM=Sensitive:Legal]  
**Attachments:** ABCC submissions - 6 February 2019.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Do Ack and scope

**Sensitive: Legal**

Dear Karen and s.47F

Please find attached the ABCC's submissions in relation to this matter.

Kind regards

s.47F

s.47F

**Postal address:** GPO Box 9927, Melbourne VIC 3000

**Hotline:** [1800 003 338](tel:1800003338) | **Web:** [abcc.gov.au](http://abcc.gov.au)



**Australian Government**  
**Australian Building and  
Construction Commission**



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Many thanks

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6 February 2019

Karen Tulloch  
FOI Coordinator  
Assistant Director – Legal Services  
Australian Public Service Commission

By email: [Karen.tulloch@apsc.gov.au](mailto:Karen.tulloch@apsc.gov.au)

Dear Karen

APSC FOI reference C18/1974 – ABCC consultation response

**Background**

s.47C



s.47C



**ABCC submissions**

s.47C



s.47C



**Section 47F – unreasonable disclosure of personal information**

s.47C



**Section 45 – material obtained in confidence**

s.47C



**Section 47C – documents disclosing deliberative processes**

s.47C



s.47C



**Section 47E(c) – *substantial adverse effect on the management or assessment of personnel & section 47E(d) – substantial adverse effect on the proper and efficient conduct of the operations of an agency***

s.47C



s.47C



**Section 42 – documents subject to legal professional privilege**

s.47C



s.47C

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**Section 47F – unreasonable disclosure of personal information**

s.47C

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s.47C





s.47C



**Section 47G(1)(a) – *affect business affairs***

s.47C



s.47C



**Section 47E(d) – *substantial adverse effect on the proper and efficient conduct of the operations of an agency***

s.47C



**Section 47E(d) – *substantial adverse effect on the proper and efficient conduct of the operations of an agency***

s.47C



s.47C



**Section 47G(1)(a) – *affect business affairs***

s.47C



s.47C

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**Section 47C – documents disclosing deliberative processes**

s.47C

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s.47C



s.47C



**Australian Building and Construction Commission**



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**From:** FOI  
**Sent:** Thursday, 31 January 2019 12:09 PM  
**To:** s.47F  
**Subject:** RE: Revised attachment - FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]  
**Categories:** Do Ack and scope

**Sensitive: Legal**

Hi s.47F

Could we work towards COB 6<sup>th</sup> February if possible for submissions.

Many thanks

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

Australian Public Service Commission  
Level 4, B Block, Treasury Building  
Parkes Place West, Parkes ACT 2600  
**P:** 02 6202 3707 | **E:** [karen.tulloch@apsc.gov.au](mailto:karen.tulloch@apsc.gov.au)

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**From:** s.47F  
**Sent:** Thursday, 31 January 2019 12:07 PM  
**To:** FOI <FOI@apsc.gov.au>  
**Subject:** RE: Revised attachment - FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

Hi Karen

Thanks for these documents. We will prepare some submissions and comments on them (using the red lines as indicative of where the redactions are likely to be applied – but please let us know if this changes).

When would you like our submissions by?

Kind regards

s.47F

s.47F

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---

**From:** FOI <FOI@apsc.gov.au>  
**Sent:** Thursday, 31 January 2019 11:50 AM  
**To:** s.47F  
**Subject:** Revised attachment - FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

My apologies s.47F

Attached is the most recent version of the documents proposed for release. Please ignore my earlier attachment.

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

Australian Public Service Commission  
Level 4, B Block, Treasury Building  
Parkes Place West, Parkes ACT 2600  
**P:** 02 6202 3707 | **E:** [karen.tulloch@apsc.gov.au](mailto:karen.tulloch@apsc.gov.au)

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**From:** FOI  
**Sent:** Thursday, 31 January 2019 11:47 AM  
**To:** s.47F  
**Subject:** RE: FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

Hi s.47F

LIMITED DISTRIBUTION

Thank you for your email below.

Please find attached a draft copy of the documents. The redactions are not finalised at this point. I am meeting with the decision maker early next week so will have a better indication for you mid next week.

It is our intention to take the same approach as previously, in that we would not be consulting directly with staff. We have however consulted with Mr Nigel Hadgkiss as part of the previous FOI request, and will apply the contentions that Mr Hadgkiss relayed last year, to these documents also.

Happy to discuss if you have any concerns.

Kind regards

**Karen Tulloch | FOI Coordinator**  
Assistant Director | Legal Services

Australian Public Service Commission  
Level 4, B Block, Treasury Building  
Parkes Place West, Parkes ACT 2600  
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---

**From:** s.47F  
**Sent:** Thursday, 31 January 2019 11:41 AM  
**To:** FOI <[FOI@apsc.gov.au](mailto:FOI@apsc.gov.au)>  
**Subject:** FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

Hello Karen

Thanks for your email and update. We look forward to receiving a copy of the documents for review.

s.47C



Kind regards

s.47F

s.47F

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**Hotline:** [1800 003 338](tel:1800003338) | **Web:** [abcc.gov.au](http://abcc.gov.au)





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Australian Building and  
Construction Commission



From: FOI <FOI@apsc.gov.au>  
Sent: Wednesday, 30 January 2019 3:10 PM  
To: s.47F  
Cc: FOI <FOI@apsc.gov.au>  
Subject: RE: FOI Consultation ABCC - Ref: C18/1318 [DLM=Sensitive:Legal]

**Sensitive: Legal**

FOI Reference: C18/1974

Good afternoon s.47F

I refer to your email below. You will recall that you provided comments and submissions in response to a request for consultation.

The Australian Public Service Commission received a new FOI request in relation to similar subject matter. Our new FOI reference for this related matter is C18/1974.

The applicant has recently paid the charges deposit relevant to this similar FOI request. As a result, we have re-considered your submissions with the new FOI request in mind. However, please note, the scope of the new request does not include any attaching documents to email communications between Mr John Lloyd, and Mr Nigel Hadgkiss. The original FOI request captured 132 pages of material. This has now been reduced to 76 pages.

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