



Australian Government
Department of Jobs and Small Business

Posty
Right to Know

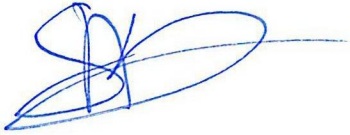
By email: foi+request-5196-2ea48cc9@righttoknow.org.au

Dear Posty

1. I refer to your correspondence dated and received by the Department of Jobs and Small Business (the department) on 1 January 2019, in which you requested access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to the following:

"All documents as is (that is, redacted or unredacted) from all previously made decisions on[the] department's FOI log that are currently not available for download direct from the website".
2. I note that in your request you indicated that you are willing to consider administrative release of the relevant documents.
3. It is not necessary for you to put in an FOI request for documents on the department's disclosure log. As set out on the department's website, you can ask for copies of any document on the disclosure log and the department will provide it to you.
4. However, given that you have lodged an FOI request and the public is able to access these documents, I have decided to provide the information to you via administrative release. The department has 32 documents (865 pages) on its disclosure log. These documents are attached.
5. As this request has been processed as an administrative release, I have not treated your request as made under the FOI Act.
6. I note your comments regarding the documents on the department's freedom of information disclosure log not being available for direct download. Subsection 11C(3) of the FOI Act provides that an agency must publish certain information to members of the public generally on a website. Paragraph 11C(3)(c) of the FOI Act specifically provides that one appropriate method of publication is by 'publishing on the website other details of how the information may be obtained'.
7. The department's disclosure log indicates that in order to access a document on the disclosure log a person should "Please contact foi@jobs.gov.au to request a copy of this document in a format you can use". This complies with the requirements of paragraph 11C(3)(c) of the FOI Act. I note that this is also consistent with the practice of other Commonwealth agencies.
8. Should you have any questions, please do not hesitate to contact me via email at foi@jobs.gov.au.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'S' and 'R' followed by a horizontal line.

Sarah Rubenstein
Senior Government Lawyer
Information Law Team
Corporate Legal Branch

4 January 2019