



Our reference: FOIREQ19/00067

**Name Withheld**

By email: [foi+request-5310-3d9c4bbf@righttoknow.org.au](mailto:foi+request-5310-3d9c4bbf@righttoknow.org.au)

**Your Freedom of Information request – Decision on access**

Dear Sir/Madam,

I refer to your request for access to documents, made under the *Freedom of Information Act 1982* (Cth) (the FOI Act), and received by the Office of the Australian Information Commissioner (OAIC) on 15 March 2019.

You have sought access to:

the information that the Review found there to be a clear public interest in, and that it recommended be precisely and publicly reported. Specifically, I seek access to the names and associated remuneration of OAIC’s key management personnel for the 2015/16, 2016/17 and 2017/18 financial years. For the purpose of my request, the OAIC’s management personnel constitute OAIC staff who are/were categorised as SES in the relevant periods.

I have interpreted this request to include the SES associated remuneration of the OAIC’s key management personnel in the financial years you have listed.

**Decision**

I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests.

I have created a table for each financial year which included the names and SES remuneration for the OAIC’s SES officers in those financial years. Therefore, there are three documents within the scope of your request.

I have decided to grant you access to the documents in full.

A schedule describing the documents and access decision I have made is at Appendix A to this decision.

## **The documents**

The OAIC had EL2 staff acting as SES in the 2018 financial year. I have noted these in the table and have only included the remuneration paid to those officers during the period in which they were acting SES. That is, the amounts paid to those officers in their substantive EL2 positions has been excluded from the remuneration figures.

The remuneration figures in the table do not reflect the working arrangements of the individual officers. That is, some officers had arrangements to work part time or to perform higher duties for a part of their working hours.

Your review rights are outlined on the following page.

Yours sincerely,

**Amanda Nowland**

Senior Lawyer  
Legal Services

14 May 2019

## **If you disagree with my decision**

### **Internal review**

You have the right to apply for an internal review of my decision under Part VI of the FOI Act. An internal review will be conducted, to the extent possible, by an officer of the OAIC who was not involved in or consulted in the making of my decision. If you wish to apply for an internal review, you must do so in writing within 30 days. There is no application fee for internal review.

If you wish to apply for an internal review, please mark your application for the attention of the FOI Coordinator and state the grounds on which you consider that my decision should be reviewed.

### **Further Review**

You have the right to seek review of this decision by the Information Commissioner and the Administrative Appeals Tribunal (AAT).

You may apply to the Information Commissioner for a review of my decision (IC review). If you wish to apply for IC review, you must do so in writing within 60 days. Your application must provide an address (which can be an email address or fax number) that we can send notices to, and include a copy of this letter. A request for IC review can be made in relation to my decision, or an internal review decision.

It is the Information Commissioner's view that it will usually not be in the interests of the administration of the FOI Act to conduct an IC review of a decision, or an internal review decision, made by the agency that the Information Commissioner heads: the OAIC. For this reason, if you make an application for IC review of my decision, and the Information Commissioner is satisfied that in the interests of administration of the Act it is desirable that my decision be considered by the AAT, the Information Commissioner may decide not to undertake an IC review.

Section 57A of the FOI Act provides that, before you can apply to the AAT for review of an FOI decision, you must first have applied for IC review.

Applications for internal review or IC review can be submitted to:

Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

Alternatively, you can submit your application by email to [foi@oaic.gov.au](mailto:foi@oaic.gov.au), or by fax on 02 9284 9666.

## **Accessing your information**

If you would like access to the information that we hold about you, please contact FOIDR@oaic.gov.au. More information is available on the Access our information page on our website.

## **Disclosure log**

Section 11C of the FOI Act requires agencies to publish online documents released to members of the public within 10 days of release, except if they contain personal or business information that it would be unreasonable to publish.

The documents I have decided to release to you do not contain business or personal information that would be unreasonable to publish. As a result, the documents will be published on our [disclosure log](#) shortly after being released to you.



### Appendix A: Schedule of documents – Freedom of Information request no FOIREQ19/00067

Document no.	Page no.	No. of pages	Date	Description	Decision on access	Exemption
1	1	1	Undated	2015/2016 Financial year – SES associated remuneration	Release in full	N/A
2	2	1	Undated	2016/2017 Financial year – SES associated remuneration	Release in full	N/A
3	3	1	Undated	2017/2018 Financial year – SES associated remuneration	Release in full	N/A