



22 July 2019

FOI ref: 2528

Ms Evelyn Doyle

By email: foi+request-5511-c7daef24@righttoknow.org.au

Dear Ms Doyle

Freedom of Information (FOI) Request – Consultation

I refer to your request, dated 9 July 2019, to the Department of the Treasury (the **Treasury**), for the following documents under the *Freedom of Information Act 1982* (the **Act**):

Any documents from January 2017 onwards that relate to the Government's plans to increase transparency of beneficial ownership of companies, including those that refer to the establishment of the Beneficial Ownership Register, but excluding submissions from the consultation that ran from 12 February 2017 to 13 March 2017.

I am an authorised decision maker under section 23 of the Act.

I am writing to inform you I believe the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to the large number of documents within the scope of your request. This is called a 'practical refusal reason' (section 24AA of the Act).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

Divisional staff have conducted a preliminary search and located 450 documents that fall within the scope of your request. These documents contain over 2700 pages of material, which needs to be reviewed and a decision made on the release of the material under the FOI Act. If a full search was undertaken, this number would be expected to increase.

The documents that have been located contain sensitive information, which would require consultation with third parties. Due to the sensitive nature of the information in the documents and the third party information, I estimate it would take over 150 hours to process your request. As you would appreciate, this is a significant amount of work to be undertaken by a limited number of staff. Therefore, I am satisfied this task would place an unreasonable burden on Treasury staff.

Request consultation process

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

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, our agency will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

You may wish to consider the following in order to revise the scope of your request:

- narrow the date range;
- specify a type of document, such as formal briefing material to a Minister; and/or
- define the specific information the document must contain to be in scope.

The above suggestions are not the only ways in which the scope of your request could be narrowed. No revisions on your part will ensure your request will be processed, however they may help in your consideration of this matter.

Next steps

Before the end of the consultation period, you must do one of the following, in writing:

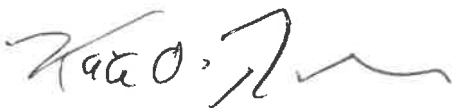
- withdraw your request;
- make a revised request; or
- inform us you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the FOI team by phone on (02) 6263 2800 or by email to FOI@treasury.gov.au. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. Please note the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request.

If you do not take one of the three actions listed above during the consultation period, or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

Yours sincerely



Kate O'Rourke
Principal Adviser
Consumer and Corporations Policy Division