



**Australian Government**  
**Independent Parliamentary**  
**Expenses Authority**

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Reference: FOI Request 20/06  
Contact: Andra Eisenberg  
Telephone: 6215 3000  
e-mail: [foi@ipea.gov.au](mailto:foi@ipea.gov.au)

Ms Evelyn Doyle

[By email: foi+request-5554-d5ee232f@righttoknow.org.au](mailto:foi+request-5554-d5ee232f@righttoknow.org.au)

Dear Ms Doyle

**Freedom of Information (FOI) Request No. 20/06**

1. I refer to your correspondence received by the Independent Parliamentary Expenses Authority (IPEA) on 22 August 2019, in which you requested access under the *Freedom of Information Act 1982* (the FOI Act) to:

*... the COMCAR and hire car records for former politician, Mrs Bronwyn Bishop between March 2009 and December 25, 2010 in relation to travel in regional NSW. As well as the usual travel entitlement reports for that period, I am also seeking copies of the actual bookings entered into the COMCAR reservations database including those transferred to government contracted hire car companies. Please limit the scope to include only travel involving visits which include any the following locations: Mudgee, Wollar, Ulan and the Bylong Valley region of NSW.*

2. I am authorised to make decisions under subsection 23(1) of the FOI Act and my decision regarding your request and the reasons for my decision are set out below.

**Decision on access to documents**

3. That part of your request relating to Comcar is more closely connected with the functions of the Department of Finance. However, IPEA has not transferred this part of your request relating to Comcar to the Department of Finance because your identical request to the Department of Finance dated 1 August 2019 has been processed by the Department of Finance.
4. I have decided to refuse access to documents under subparagraph 24A(1)(b)(ii) of the FOI Act.
5. In reaching my decision, I have taken the following material into account:
  - your correspondence dated 22 August 2019 outlining the particulars of your request for documents under the FOI Act;
  - all documents contained within the agency files relating to Parliamentary Entitlements and the Hon Bronwyn Bishop;

- the FOI Act; and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

#### Reasons for decision

6. An agency or Minister may refuse a request for access to a document under subsection 24A(1) of the FOI Act if:
  - (a) all reasonable steps have been taken to find the document; and
  - (b) the agency or Minister is satisfied that the document:
    - (i) is in the agency's or Minister's possession but cannot be found; or
    - (ii) does not exist.
7. Officers within the Transparency, Assurance and Legal Branch in IPEA have examined all documents contained within the six files relating to the Hon Bronwyn Bishop's parliamentary entitlements but have not found any documents which fall within the scope of your request.
8. I am satisfied that all reasonable steps have been taken to determine whether the requested documents exist and such steps have failed to locate any documents falling within the scope of your request.
9. I have therefore decided to refuse your request pursuant to subparagraph 24A(1)(b)(ii) of the FOI Act on the basis that the documents you are seeking do not exist.
10. Because we have failed to locate any documents within the scope of your request, and as an act of good faith, IPEA is willing to reimburse you the \$67.51 charge for processing this FOI request. Please contact the FOI coordinator on [foi@ipea.gov.au](mailto:foi@ipea.gov.au) to arrange this reimbursement.
11. On 1 August 2019, you made the identical request to the Department of Finance, which except for documents relating to Comcar, was transferred to IPEA on 16 August 2019. Therefore, please could you withdraw this request by return email.

#### Rights of review

12. I have set out your rights to seek a review of my decision at **Attachment A**.
13. Should you have any enquiries concerning this matter, please do not hesitate to contact the FOI Coordinator on (02) 6215 3000 or by email to [foi@ipea.gov.au](mailto:foi@ipea.gov.au).

Yours sincerely



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**Petra Gartmann**  
Branch Manager  
Transparency, Assurance and Legal Branch  
Independent Parliamentary Expenses Authority  
One Canberra Avenue, FORREST ACT 2603

16 September 2019

## **Your rights of review**

### **Internal Review**

Section 54 of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter. No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: Independent Parliamentary Expenses Authority (IPEA)  
One Canberra Avenue  
FORREST  
CANBERRA ACT 2603

Email: [foi@ipea.gov.au](mailto:foi@ipea.gov.au)

### **External Review by the Australian Information Commissioner**

Section 54L of the FOI Act gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC's website at [www.oaic.gov.au](http://www.oaic.gov.au), within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision. You can also complain to the AIC about how an agency handled an FOI request, or other actions the agency took under the FOI Act. Applications for review or complaint can be lodged in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: GPO Box 5218  
SYDNEY NSW 2001

Phone: 1300 363 992 or +61 2 9284 9749 for international

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

In person: Level 3  
175 Pitt Street  
SYDNEY NSW 2000