



Australian Government
Independent Parliamentary
Expenses Authority

Reference: 20/06
Contact: Andra Eisenberg
Telephone: 6215 3185
e-mail: foi@ipea.gov.au

Ms Evelyn Doyle

By email: foi+request-5554-d5ee232f@righttoknow.org.au

Dear Ms Doyle

Freedom of Information (FOI) Request 20/06

I refer to your request of 25 September 2019, to the Independent Parliamentary Expenses Authority (IPEA), for an internal review of IPEA's primary decision of 16 September 2019, under section 54A of the *Freedom of Information Act 1982* (FOI Act).

On 1 August 2019, you made a request to IPEA under the *Freedom of Information Act 1982* (FOI Act) for access 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.

The decision-maker also advised you that that part of your request relating to Comcar is more closely connected with the functions of the Department of Finance and that this part of your request relating to Comcar has already been processed by the Department of Finance. I can also advise you that since IPEA separated from the Department of Finance in 2017, IPEA has had no access to the Comcar database.

On 25 September 2019, you sought an internal review of IPEA's primary decision on the following grounds:

- 1. I had emailed a copy of the travel entitlements report showing Mrs Bishop made a trip from Bathurst to Mudgee marked as 09 Jan - 12 Jan 2010. Mudgee was included in the scope.*
- 2. There does not appear to have been any third party contact in relation to obtaining hire car or tax logs of that trip, which suggests the department did not make an attempt to check with the relevant contractor. Normally there would have been a request for an extension to undertake that task.*

3. The Comcar record of the trip should still be available on the archived database which most likely would still be accessible on a desktop or a backup made in keeping with official records management protocols. (I note the reservations and allocation system has been upgraded since 2010). A full history of my FOI request and all correspondence is available on the Internet at this address:

https://www.righttoknow.org.au/request/bronwyn_bishop_travel_records as well as emails between the FOI team and myself outside of Right to Know, where I provided attachments to the relevant pages from the official travel reports from that time.

Decision on internal review

I am authorised to make internal review decisions under section 54C of the FOI Act. In accordance with section 54C of the FOI Act, I am required to review the primary decision and make a fresh decision and am in no way bound by the primary decision. In reaching my decision, I have taken the following material into account:

- your correspondence
- the FOI Act
- consultations with IPEA officers
- the files identified by IPEA staff as containing documents potentially within the scope of your request and
- the guidelines issued by the Australian Information Commissioner under section 93A of the Act.

Section 24A(1)(b)(ii) of the FOI Act

An agency or Minister may refuse a request for access to a document if:

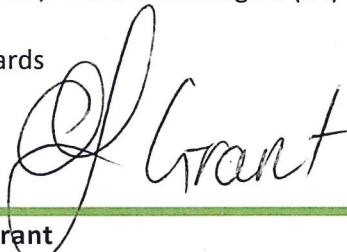
- (a) all reasonable steps have been taken to find the document and*
- (b) the agency is satisfied that the document:*
 - (i) is in the agency's or Minister's possession but cannot be found; or*
 - (ii) does not exist.*

I am satisfied that IPEA staff have located the relevant files which could potentially hold documents within the scope of your request. I have examined all the files but have not located any documents which fall within the scope of your request. I have therefore decided that IPEA holds no documents within the scope of your request and I have therefore decided to affirm the primary FOI decision.

Rights of review

Information about your rights of external review under the FOI Act is set out at **Attachment A**. If you have any enquiries concerning this matter, please do not hesitate to contact the FOI Coordinator, Andra Eisenberg on (02) 6215 3185 or via email at foi@ipea.gov.au.

Kind regards



Christina Grant
Branch Manager
Travel Education and Advice Branch
Independent Parliamentary Expenses Authority
One Canberra Avenue, FORREST ACT 2603

17 October 2019

Your rights of review

External Review by the Australian Information Commissioner

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

If you wish to have the decision reviewed by the OAIC you must apply for the review in writing or by using the online merits review form available on the OAIC's website at www.oaic.gov.au within 30 days of receipt of this letter (access grant decision) or 60 days of receipt of this letter (access refusal decision). To assist the OAIC 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 OAIC 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

Post: GPO BOX 5218
SYDNEY NSW 2001

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

Email: enquiries@oaic.gov.au

In person: Level 3
175 Pitt Street
SYDNEY NSW 2000

