



Australian Government
Department of Foreign Affairs and Trade

FOI Reference: LEX516
File No: 19/26627
8 October 2019

George Porter
By email: foi+request-5618-87e3a940@righttoknow.org.au

Dear Mr Porter

Re: Freedom of Information (FOI) Request

Thank you for your e-mail of 8 September 2019, seeking access under the *Freedom of Information Act 1982* (the FOI Act) to:

1. *Documents setting out overseas conditions of service for DFAT staff working overseas during calendar years 2014 - 2018;*
2. *Documents covering how the Cost of Posting Allowance (COPA) under DFAT's overseas conditions of service was calculated for DFAT staff working overseas during calendar years 2014 - 2018;*
3. *Documents covering how the Hardship Allowance under DFAT's overseas conditions of service was calculated for DFAT staff working overseas during calendar years 2014 - 2018;*
4. *Documents covering how, if at all, employee rent and utility contributions for DFAT staff posted overseas have been factored into COPA calculations since 1 July 2000, including documents covering any decision, determination or agreement that employee rent and utility contributions for DFAT staff posted overseas would be factored into COPA calculations.*

Practical refusal reason

Notice is hereby given under section 24AB(2) of the FOI Act of an intention to refuse to grant access to the documents sought. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of DFAT from its other operations.

In deciding that this practical refusal reason exists, I have given consideration to how DFAT could proceed to process your request, and the time and resources that would be involved in doing so. I have been assisted in this task by estimates provided by members of staff in

the Overseas Operations and Services Branch of DFAT to determine an estimate of the probable resource demands posed by your FOI request.

On advice from the relevant line area, your request as it currently stands has captured over 1,100 pages of material.

I am therefore of the opinion that processing your request in its current form would be a substantial and unreasonable diversion of DFAT's resources within the meaning of section 24AA(1) of the FOI Act.

Consultation process

In accordance with section 24AB(2)(e) of the FOI Act, the consultation period during which you may consult with me to revise the scope of your request is 14 days after the day you are given this notice. Please note that if you do not take this opportunity to consult, in accordance with section 24AB(6) of the FOI Act, your request will be taken to have been withdrawn under section 24AB(7) of the FOI Act.

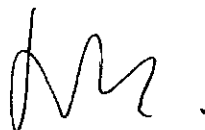
You should be aware that the documents you seek are internal documents which set out day-to-day policies and processes. These documents are not publicly available, and it is unlikely they will be released to you. You may however, be interested in the DFAT Enterprise Agreement which came into effect on 10 January 2019 and provides information on broader conditions which are available to DFAT staff. The document can be found at: <https://dfat.gov.au/about-us/department/Documents/dfat-enterprise-agreement.pdf>

I am the DFAT officer with whom you may consult if you wish to revise the request to a narrower scope such that it could in fact be processed. I may be contacted by email at: foi@dfat.gov.au and I am happy to take any reasonable steps provide you, so far as is reasonably practicable, with any information that I can to assist you in amending your request under the FOI Act.

Please note that during this period of consultation, the statutory timeframe under section 15(5) of the FOI Act for the processing of your request is on hold (see section 24AB(8) of the FOI Act for details).

I have attached a copy of sections 24, 24AA and 24AB of the FOI Act for your information.

Yours sincerely



Lindsay Buckingham
Director
Freedom of Information and Privacy Law Section