



Australian Government

Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT
BARTON

FOI

FOI/2019/305

FREEDOM OF INFORMATION ACT 1982

REQUEST BY: Richard Smith

DECISION BY: Alison Green
Assistant Secretary
Protocol and International Visits Branch

Dear Mr Smith

I refer to your email dated 16 October 2019 to the Department of the Prime Minister and Cabinet ('the Department') in which you made a request under the *Freedom of Information Act 1982* ('the FOI Act'), in the following terms:

In September 2019, The Honorable, The Prime Minister, Scott Morrison MP visited the United States on an official visit to represent Australia.

The Prime Minister received several gifts from the President of the United States and the First Lady, on behalf of the United States Government, including:

- a "model of US Navy's ship USS Canberra and a piece of aluminum offcut from hull construction";*
- a "framed map of the Battle of the Coral Sea";*
- a "leather-bound photo album embossed with 23-karat gold": and*
- a "Tiffany pewter reverse bowl engraved with the US Presidential Seal and signatures of the US President and the First Lady".*

The Prime Minister's wife also received a "Tiffany silver and gold infinity cuff".

Accordingly, I hereby request the following Government Information documents which I consider to be of great public importance:

- a) Documents recording these gifts on a register or database as property of the Commonwealth of Australia;*
- b) Documents relating to insurance the Commonwealth has taken over these gifts; and*

c) Documents relating to the location where these gifts are currently being stored.

Authorised decision-maker

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

Search for documents undertaken by the Department

Having regard to my knowledge of the Department's functions and where the Department would hold documents potentially relevant to your freedom of information ('FOI') request, if they existed, I arranged for Departmental staff to undertake appropriate searches.

As a result of those searches, the Department identified seven documents ('the requested documents') that fell within the scope of your request.

Decision

The Schedule of Documents at [Attachment A](#) describes the requested documents and sets out my decision in relation to each of the requested documents.

Documents 1 – 5 are extracts from the Department's Gift Register ('the Gift Register documents'). I have decided to release the Gift Register documents with certain material deleted under section 47E(d) of the FOI Act.

Document 6 is the Department's Certificate of Currency as provided by Comcover. I have decided to release Document 6 with certain material deleted under section 47E(d) of the FOI Act.

Document 7 is the Department's Comcover Statement of Cover and is publicly available. The Schedule of Documents at [Attachment A](#) provides a link to the website where the Comcover Statement of Cover is available.

Matters Taken Into Account

In making my decision in this matter, I have had regard to the following:

- the terms of your FOI request;
- the content of the requested documents;
- the provisions of the FOI Act;
- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act ('the FOI Guidelines'); and
- advice from the Department's FOI advisers.

Reasons for the Decision

Certain operations of agencies (section 47E(d) of the FOI Act)

The Gift Register Documents

Relevant to my consideration of the release of the Gift Register documents, section 47E(d) of the FOI Act provides:

A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:

- (d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.*

As custodians of the gifts recorded in the Gift Register documents, providing appropriate security and storage of those gifts is a core Departmental function. I have formed the view that the disclosure of the storage location of the gifts and comments concerning the Department's security arrangements could reasonably be expected to compromise the security of the gifts and other valuable property under the care of the Department.

Consequently, I have decided the Gift Register documents contain information, which, if disclosed, would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of the Department.

In light of the above, I am satisfied that certain material contained within the Gift Register documents is conditionally exempt under section 47E(d) of the FOI Act.

Public interest test

Section 11A(5) of the FOI Act provides that an agency must give an applicant access to a conditionally exempt document unless its disclosure would, on balance, be contrary to the public interest.

In determining whether disclosure would be contrary to the public interest, a decision maker is required to balance the public interest factors in favour of disclosure against the factors against disclosure.

Public interest factors favouring disclosure

Section 11B(3) of the FOI Act sets out four non-exclusive factors that may favour disclosure of the material in question. Of those four factors, I consider that only the promotion of the objects of the FOI Act may apply in this matter.

Public interest factors against disclosure

The FOI Act does not provide for any public interest factors against disclosure that decision makers may consider. However, the FOI Guidelines contain a non-exhaustive list of factors that may apply when considering non-disclosure.¹ Consistent with subsection 11B(5) of the

¹ Office of the Australian Information Commissioner, [FOI Guidelines, Part 6 – Conditional Exemptions \(version 1.3, December 2016\)](#), paragraph 6.22(i)

FOI Act, I have had regard to the factors set out in the FOI Guidelines in determining whether disclosure would be contrary to the public interest.

Relevant to my current consideration, the non-exhaustive list of factors that may apply when considering non-disclosure includes that disclosure ‘... could reasonably be expected to prejudice security, law enforcement, public health or public safety’. The material in question contained within the Gift Register documents identifies where the Department stores valuable property and provides other security related information.

In my view, the disclosure of the material in question could reasonably be expected to prejudice the security of the Department, law enforcement and public safety. In essence, disclosing the location of the Department’s storage facility will likely heighten the risk of theft of the stored property. To mitigate this risk, the Department may be forced to increase the current levels of physical security, thereby forcing the Department to incur considerable additional expenditure. Doing so, would be strongly against the public interest.

After careful consideration of all relevant factors, I have decided that the factors against disclosure of the material in question contained within the Gift Register documents outweigh the factors favouring disclosure. Accordingly, I find release of the material in question would, on balance, be contrary to the public interest.

Document 6 – Department’s Certificate of Currency with Comcover

Document 6 includes the Department’s Comcover Membership Number.

One of the Department’s functions is to minimise the Department’s expose to risk. I have formed the view that the disclosure of the Department’s Comcover Membership Number could reasonably be expected to have a substantial adverse effect on the Department’s proper and efficient management of fraud related risk. Accordingly, I am satisfied that the Department’s Comcover Membership Number is conditionally exempt under section 47E(d) of the FOI Act (copied above).

Public interest test

As indicated above, section 11A(5) of the FOI Act provides that an agency must give an applicant access to a conditionally exempt document unless its disclosure would, on balance, be contrary to the public interest.

Public interest factors favouring disclosure

Of the four factors set out in section 11B(3) of the FOI Act that may favour disclosure of the material in question, I consider that only the promotion of the objects of the FOI Act may apply in relation to the release of the Department’s Comcover Membership Number. However, I only give minimal weight to this factor. This decision releases the large majority of Document 6 and confirms the Department has adequate insurance in place. Releasing the Department’s Comcover Membership Number will only marginally further promote the objects of the FOI Act.

Public interest factors against disclosure

As indicated above, the FOI Guidelines contain a non-exhaustive list of factors that may apply when considering non-disclosure. Relevant to my current consideration, the non-exhaustive list of factors that may apply when considering non-disclosure includes that disclosure '... could reasonably be expected to prejudice the management function of an agency'. The disclosure of the Department's Comcover Membership Number unnecessarily exposes the Department to heightened levels of fraud related risk.

The Department's Comcover Membership Number is not publicly available. In certain instances, the Department may forward a copy of the Certificate of Currency to contracting partners to verify the existence of adequate insurance. However, the Department forwards the Certificate of Currency to contracting partners with the expectation that the contracting partner will not make the information public.

I have formed the view that that disclosure of the material in question could reasonably be expected to prejudice the Department's management functions. Public disclosure of the Department's Comcover Membership Number will raise the risk of fraud being committed against the Department and the Commonwealth. Furthermore, mitigating against this risk may prove to be problematic and is likely to incur additional expense. Exposing the Department to this unnecessary risk would be strongly against the public interest.

After careful consideration of all relevant factors, I have decided that the factors against disclosure of the Department's Comcover Membership Number contained within Document 6 outweigh the factors favouring disclosure. Accordingly, I find release of the material in question would, on balance, be contrary to the public interest.

Review rights

Information about the applicant's rights of review can be found on the web site of the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

Complaint rights

Information about the applicant's complaint rights can be found on the web site of the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.



Alison Green
Assistant Secretary
Protocol and International Visits Branch

15 November 2019

FOI REQUEST: FOI/2019/305

SCHEDULE OF DOCUMENTS

FOI

Document	Date	Description	Number of pages	Decision
1	27/09/2019	Gift Register extract – Framed Map of the Coral Sea	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
2	27/09/2019	Gift Register extract – Tiffany Infinity Cuff in Sterling Silver	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
3	30/09/2019	Gift Register extract – Calfskin Leather Photo Album of Official Visit	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
4	27/09/2019	Gift Register extract – Paul Revere Silver Tiffany Bowl	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
5	27/09/2019	Gift Register extract – Model of <i>USS Canberra</i> in Perspex and wooden case.	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
6	08/08/2019	Comcover - Certificate of Currency	1	Release in part. Material deleted under section 47E(d) of the FOI Act.
7	01/07/2019	Comcover - Statement of Cover	33	Publicly available at : https://www.finance.gov.au/comcover/insurance/

Framed Map of the Coral Sea

Document 1



Barcode		Gift ID	17777
Record Status	Open	Legacy Gift ID	
Category	Artwork and Prints		
Gift	Framed Map of the Coral Sea		
Received By	Morrison, The Hon Scott		
Presented By Name	Mr Donald Trump	Presented By Title\Organisation	President of the United States of America
Presented By Country	United States of America		
Source	Government	Occasion Type	Overseas visit
Workflow Status	Customs pending	File Reference	
Location	s47E(d)		
Date Received	20/09/2019	Date Recorded	27/09/2019
Indicative Value	>\$750	Over the Limit?	Yes
Value (ex GST)	3700	Purchase Price (inc. GST)	3245
Valuer	Overseas Protocol		
Security Screened	s47E(d)	Security Outcome	
Security Comments	s47E(d)		
Comments	Valuation provided by White House Gift Officer.		
Attachments	Framed Map of the Coral Sea.jpg IMG_1032.JPG		

Tiffany Infinity Cuff in Sterling Silver

Document 2



Barcode		Gift ID	17771
Record Status	Open	Legacy Gift ID	
Category	Jewellery		
Gift	Tiffany Infinity Cuff in Sterling Silver		
Received By	Morrison, Mrs Jenny		
Presented By Name	Mrs Melania Trump	Presented By Title\Organisation	First Lady of the United States of America
Presented By Country	United States of America		
Source	Government	Occasion Type	Overseas visit
Workflow Status	Customs pending	File Reference	
Location	s47E(d)		
Date Received	20/09/2019	Date Recorded	27/09/2019
Indicative Value	<\$750	Over the Limit?	No
Value (ex GST)	670	Purchase Price (inc. GST)	0
Valuer	Overseas Post		
Security Screened	s47E(d)	Security Outcome	s47E(d)
Security Comments			
Comments	Valuation provided by Post and sourced from website: https://www.tiffany.com/jewelry/bracelets/tiffany-infinity-cuff-GRP08633/ Gift received by Mrs Morrison.		
Attachments	Silver Tiffany Bracelet.jpg		

Calfskin Leather Photo Album of Official Visit

Document 3



Barcode		Gift ID	17789
Record Status	Open	Legacy Gift ID	
Category	Official Photography (Albums)		
Gift	Calfskin Leather Photo Album of Official Visit		
Received By	Morrison, The Hon Scott		
Presented By Name	Mr Donald Trump	Presented By Title\Organisation	President of the United States of America
Presented By Country	United States of America		
Source	Government	Occasion Type	Overseas visit
Workflow Status	Customs pending	File Reference	
Location	s47E(d)		
Date Received	20/09/2019	Date Recorded	30/09/2019
Indicative Value	>\$750	Over the Limit?	Yes
Value (ex GST)	3000	Purchase Price (inc. GST)	2475
Valuer	Overseas Protocol		
Security Screened	s47E(d)	Security Outcome	s47E(d)
Security Comments			
Comments	Valuation provided by White House Gift Officer.		
Attachments	Calfskin Leather Photo Album 1.JPG Calfskin Leather Photo Album 2.JPG Calfskin Leather Photo Album.JPG		

Paul Revere Silver Tiffany Bowl

Document 4



Barcode		Gift ID	17776
Record Status	Open	Legacy Gift ID	
Category	Bowls		
Gift	Paul Revere Silver Tiffany Bowl		
Received By	Morrison, The Hon Scott		
Presented By Name	Mr Donald Trump	Presented By Title\Organisation	President of the United States of America
Presented By Country	United States of America		
Source	Government	Occasion Type	Overseas visit
Workflow Status	Customs pending	File Reference	
Location	s47E(d)		
Date Received	20/09/2019	Date Recorded	27/09/2019
Indicative Value	>\$750	Over the Limit?	Yes
Value (ex GST)	1200	Purchase Price (inc. GST)	495
Valuer	Overseas Post		
Security Screened	s47E(d)	Security Outcome	s47E(d)
Security Comments			
Comments	Valuation provided by Post and sourced from website: https://www.tiffany.com/accessories/tableware/revere-bowl-GRP02933/		
Attachments	Paul Revere Tiffany Silver Bowl 1.jpg Paul Revere Tiffany Silver Bowl 2.JPG		

Model of *USS Canberra* in perspex and wooden case.

Document 5



Barcode		Gift ID	17769
Record Status	Open	Legacy Gift ID	
Category	Models		
Gift	Model of USS Canberra in perspex and wooden case.		
Received By	Morrison, The Hon Scott		
Presented By Name	Mr Donald Trump	Presented By Title\Organisation	President of the United States of America
Presented By Country	United States of America		
Source	Government	Occasion Type	Overseas visit
Workflow Status	Customs pending	File Reference	
Location	s47E(d)		
Date Received	20/09/2019	Date Recorded	27/09/2019
Indicative Value	>\$750	Over the Limit?	Yes
Value (ex GST)	3700	Purchase Price (inc. GST)	3245
Valuer	Overseas Protocol		
Security Screened	s47E(d)	Security Outcome	s47E(d)
Security Comments			
Comments	Valuation provided by White House Gift Officer.		
Attachments	IMG_1030.JPG Model of USS Canberra.jpg		



Australian Government

Comcover

08 August 2019

To Whom It May Concern:

CERTIFICATE OF CURRENCY

Comcover confirms having effected coverage as detailed below.

Fund Member	Department of the Prime Minister and Cabinet
Membership Number	s47E(d)
Period of Cover	01 July 2019 to 30 June 2020
Class of Cover	Property
Limit of Liability	As per Asset Schedule
Territorial Limits	Worldwide
Scope of Cover (Summary Only) Subject to the terms and conditions of the Comcover Statement of Cover	Property Loss, destruction or damage occurring during the period of cover, including replacement of glass. Basis of Settlement - Replacement Value

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the Statement of Cover.

Comcover
Risk, Insurance and Special Claims Branch
Department of Finance