



24 January 2020

FOI ref: 2625

Ms Julie Middleton

By email: foi+request-5960-e7820aff@righttoknow.org.au

Dear Ms Middleton

Freedom of Information Request - Decision

I refer to your request to the Department of the Treasury (the **Treasury**) on 27 November 2019 for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following:

The publication available online dated 15 November 2002, Joint Communique - Ministerial Meeting on Public Liability Insurance, includes:

Actuarial assessment

Ministers noted an actuarial assessment on the lpp Report recommendations provided by PricewaterhouseCoopers. The assessment showed that the implementation of elements of the lpp Report could be expected to deliver an initial reduction in public liability premiums in the order of 13.5 per cent, where it can be quantified, and an 80 per cent reduction in the number of small claims. Further, the behavioural effects of adopting the suite of lpp recommendations on the definition of negligence, duty of care, and other recommendations on liability reform should result in significantly larger savings over time. Significant reductions in medical indemnity insurance premiums of between 15 per cent and 18 per cent were also estimated for most jurisdictions.

I am seeking:

- 1. a copy of the document referred to as the Actuarial assessment in the above publication; and*
- 2. a copy of the document provided by PricewaterhouseCoopers that was referred to in the above publication.*

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

Decision

The Treasury has one document in the scope of your request, the actuarial assessment provided by PricewaterhouseCoopers, which responds to both item 1 and 2 of your request. I have decided to release this document to you with irrelevant information deleted under section 22 of the FOI Act.

I arranged for staff in my Division to search the department's records management system and department files from secondary storage for the documents you requested. This search confirmed that there is only one document in the scope of your request, the report assessment mentioned above.

Material Considered

The material to which I have had regard in making this decision includes:

- the scope of the FOI request
- the content of the documents subject to your request;
- the relevant provisions in the FOI Act;
- advice from subject matter experts within the Treasury;
- third party responses to third party consultation; and
- the Guidelines issued by the Australian Information Commissioner under s93A of the Freedom of Information Act 1982 (the **FOI Guidelines**).

Reasons for decisionMaterial deleted pursuant to Section 22

Section 22 of the FOI Act allows for information that is irrelevant to your request to be deleted.

The document in the scope of your request contains the name of a Treasury employee. We informed you in our email of 4 December 2019 that it is our usual practice not to include the personal information of government employees and invited you to inform us if you did not agree with us processing the request on this basis. As we did not hear from you, the name of the Treasury employee has been deleted under section 22 of the FOI Act.

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely

A handwritten signature in black ink that reads "Diane Brown". The signature is written in a cursive style with a large initial 'D'.

Diane Brown
Division Head
Financial Systems Division

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

Application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

Application for a review of the decision should be emailed to FOI@Treasury.gov.au.

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.