



8 January 2020

JS

Right to Know

By email: foi+request-6030-39bb6f0c@righttoknow.org.au

Dear JS

Freedom of Information Request (R2019/139) – Notice of Decision

I refer to your request to the Registered Organisations Commission (**ROC**) dated 20 December 2019 seeking access to information under the *Freedom of Information Act 1982* (**FOI Act**), which stated as follows:

Under FOI I seek access to a copy of the documents released on 2 Dec 2019 (ROC2019/134) and reflected in the disclosure log as:

Request for documents received or sent to the Attorney-General or the Attorney-General's Department or the Department of Jobs and Small Business by the Registered Organisations Commission in the period 1 July and 30 September 2019 which deals with, includes references to, describe, relate or refer to the Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019.

Five documents released in full, 69 documents released in part with personal and irrelevant information redacted and 16 documents exempt in full.

I confirm that this decision is made within the 30 day statutory period for processing your request pursuant to section 15 of the FOI Act.

Decision and Statement of Reasons

I am authorised by the Registered Organisations Commissioner, under section 23 of the FOI Act, to make decisions on requests for access to documents.

In reaching my decision, I have considered the following:

- the terms of the FOI request
- the documents relevant to the FOI request
- the FOI Act
- the Guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act (**FOI Guidelines**).

The material facts upon which the decision is based are as follows:

- the ROC previously received freedom of information requests denoted by the reference R2019/134
- on 2 December 2019, a decision on that FOI request was issued, which resulted in the release of 74 documents with full access granted to 5 documents and partial access granted to 69 documents. Access was refused in relation to 16 documents.
- the matter was added to the ROC's Disclosure Log, which is located on the ROC website at <https://www.roc.gov.au/about-us/freedom-of-information>

- the information sought in your FOI request is access to the documents previously released in response to FOI request R2019/134.

74 documents fall within the scope of your request. I have decided to grant access to those 74 documents in the form in which they were released in response to FOI request R2019/134.

Section 22 of the FOI Act provides that an agency or minister can give access to an edited document, modified by deletions to ensure the edited copy does not disclose any information that would reasonably be regarded as irrelevant to the request for access. I notify you, consistent with section 22(3) of the FOI Act, that the documents released in response to FOI request R2019/134 were released subject to certain information being redacted.

The Schedule of Documents at **Attachment A** sets out brief information about each document within the scope of your request.

You have requested that all replies to the request be provided to you via email, however, due to size restrictions, this will not be pragmatic. Accordingly, it will be necessary to provide the documents to you on a USB drive. The USB drive can be made available for collection from the office of the Fair Work Ombudsman at Level 12, 414 La Trobe Street, Melbourne. Alternatively, the USB drive can be posted to you with the original copy of this letter in the ordinary post to a nominated postal address.

Review rights

If you are dissatisfied with my decision, you may apply for internal review or to the Information Commissioner for review of the decision.

Internal Review

Under section 54 of the FOI Act, you may apply in writing to the ROC for internal review of my decision. The internal review application must be made within 30 days of the date of this letter to:

email: regorgs@roc.gov.au or

post: GPO Box 2983, Melbourne VIC 3001

Where possible, please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: <https://forms.business.gov.au/aba/oaic/foi-review/>

email: enquiries@oaic.gov.au

post: GPO Box 2999, Canberra ACT 2601

in person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to www.oaic.gov.au/freedom-of-information/foi-reviews.

Complaint rights

If you are dissatisfied about any action taken by the ROC in the performance of functions, or the exercise of powers, under the FOI Act, you may make a complaint by:

- writing to the Information Commissioner in one of the ways provided above; and
- identify the ROC as the agency in respect of which the complaint is made.

Yours faithfully



Patrick Coyle
Legal Counsel
Registered Organisations Commission