



**Australian Government**  
**Attorney-General's Department**

Our ref: FOI20/050

21 April 2020

Mr John Smith

By email: [foi+request-6265-7f888d41@righttoknow.org.au](mailto:foi+request-6265-7f888d41@righttoknow.org.au)

Dear Mr Smith

**Freedom of Information Request FOI20/050**

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (FOI Act).

**Your request**

On 1 April 2020, you requested access to the following:

... a copy of the AGS's organisational style guide that is used by the AGS in the preparation of its legal advice.

The Attorney-General's Department (the department) acknowledged your request on 3 April 2020.

A decision in relation to your request is due on 1 May 2020.

**My Decision**

I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to freedom of information requests made to the department.

I have decided to refuse your request as the department is exempt from the operation of the FOI Act in relation to documents in respect of activities undertaken by the Australian Government Solicitor. The operation of this exemption is explained further below.

In making my decision regarding access to the relevant documents, I have taken the following material into account:

- the terms of your request
- the provisions of the FOI Act (specifically section 7(2) and Schedule 2), and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

## **Exemption of certain persons or bodies (section 7(2))**

Subsection 7(2) of the FOI Act provides that:

*(2) The persons, bodies and Departments specified in Part II of Schedule 2 are exempt from the operation of this Act in relation to the documents referred to in that Schedule in relation to them.*

Division 1 of Part II of Schedule 2 lists the department as exempt from the operation of the FOI Act in relation to:

*(b) documents in respect of activities undertaken by the Australian Government Solicitor.*

I am satisfied any documents the department might hold that are covered by the terms of your request fall under the scope of this exemption and are therefore not subject to the FOI Act.

### **Additional Information**

Your review rights under the FOI Act are set out at **Attachment A** to this letter.

### **Questions about this decision**

If you wish to discuss this decision, please contact Julia by telephone on (02) 6141 6666 or by email [foi@ag.gov.au](mailto:foi@ag.gov.au).

Yours sincerely



**Louise Vardanega**  
Chief Operating Officer  
Australian Government Solicitor



## **FOI Review Rights**

If you are dissatisfied with the decision of the Attorney-General's Department (the department), you may apply for internal review or Information Commissioner review of the decision.

The department encourages applicants to consider seeking internal review as a first step as it may provide a more rapid resolution of your concerns.

### ***Internal review***

Under section 54 of the *Freedom of Information Act 1982* (FOI Act), applications for internal review must be made in writing within 30 days of the date of the decision letter. Applications for internal review must be lodged by email or post.

email: [foi@ag.gov.au](mailto:foi@ag.gov.au)  
post: Freedom of Information and Parliamentary Section  
Strategy and Governance Branch  
Attorney-General's Department  
3-5 National Circuit  
BARTON ACT 2600

An officer of the department other than the officer who made the original decision will complete the internal review within 30 days of receipt of your request.

Providing reasons you believe internal review of the decision is necessary will facilitate the completion of the internal review.

### ***Information Commissioner review***

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

online: <https://forms.business.gov.au/aba/oaic/foi-review-/>  
email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
post: GPO Box 5218, SYDNEY NSW 2001  
in person: Level 3, 175 Pitt Street, SYDNEY NSW 2000

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website.

Go to <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.