



Bre Rosolin

Via email
Dear Bre

Decision made under the Freedom of Information Act 1982 – Release in full

I refer to your request to the Department of Infrastructure, Transport, Regional Development and Communications (**the department**) received on 26 August 2020 for access to documents under the *Freedom of Information Act 1982 (FOI Act)*. You requested the following documents:

Any and all documents relating to decisions of the Classification Board and Classification Review Board regarding the Austria German film 'The Trouble With Being Born' 2020, directed by Sandra Wollner.

Authority

I am an officer authorised by the Secretary to make decisions about access to documents in the possession of the department in accordance with s 23(1) of the FOI Act.

Documents subject to this request

The department has undertaken a search of its records and has identified eight documents that fall within the scope of your request. Please note that there has been no classification decision that relates only to *The Trouble With Being Born (TTWBB)* by itself - the only decision in relation to TTWBB was in response to an application received seeking modification to the conditional cultural exemptions as set out in subsection 6C(e) of the *Classification (Publications, Films and Computer Games) Act 1995* and clause 6(1) of the *Classification (Publications, Films and Computer Games) (Conditional Cultural Exemption Rules) Instrument 2015* as it applied to unclassified films to be screened as part of the Melbourne International Film Festival (**MIFF**). The documents listed below relate to that classification decision.

Document reference	Document description
1	6H Application Form – 1 July 2020
2	6H Application – Synopses – 1 July 2020
3	6h Application – Capacity Chart – 1 July 2020
4	6h Application – Purpose and History – 1 July 2020
5	6h Application – Proposed Film Program (Final) – 1 July 2020
6	Decision
7	Declaration
8	Event registration summary

Irrelevant material

Where the giving of access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access, section 22(1) of the FOI Act provides that it is possible for an agency to prepare an edited copy of the document, modified by deletions.

As the decision relates not to the specific film you are interested in but rather many films, you will note that there are limited specific comments in the documents in relation to TTWBB. Where this was non-specific but still related to all the films in general I have considered it in scope. Where the information is not relevant to TTWBB but rather relates to the festival as a whole or other films specifically, I have considered this irrelevant. The irrelevant material has been redacted from the documents.

Decision

I have made a decision to release the documents subject to your request in full, subject to deletion of irrelevant material.

I have decided not to impose a charge for processing your FOI request. The documents released to you in accordance with the FOI Act are enclosed.

Publication of information in the FOI disclosure log

Section 11C of the FOI Act requires publication of released documents on the Department's online FOI disclosure log, subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable. I have decided that the documents released will be published on the disclosure log.

Your rights of review

If you wish to seek an internal review, you must apply to the Department within **30 days** after the day you are notified of this decision. An application for internal review must be made in writing by post to the FOI Officer or email to FOI@infrastructure.gov.au.

Alternatively, you may apply directly to the Office of the Australian Information Commissioner (OAIC) to review my decision. An application for review by the Information Commissioner must be made in writing within **60 days** after the day you are notified of this decision. You can also make a complaint to the Information Commissioner if you have concerns about how the Department handled your request. You can find information about requesting a review, making a complaint, and other information about FOI on the OAIC website www.oaic.gov.au or phone the OAIC on 1300 363 992.

Contacts

If you wish to discuss this matter, please contact the Department's FOI Coordinator on (02) 6274 7393 or via email at FOI@infrastructure.gov.au

Yours sincerely



Aaron O'Neill
Assistant Secretary - Classification Branch

23 October 2020