



**Australian Government**  
**Department of Industry, Science,  
Energy and Resources**

Our ref: 67115

Mr Warrick Alexander  
Right to Know

By email: [foi+request-6688-b81b7ffb@righttoknow.org.au](mailto:foi+request-6688-b81b7ffb@righttoknow.org.au)

Dear Mr Alexander

**Freedom of Information Act 1982 – Notice of Internal Review Decision**

I refer to your correspondence received by the Department of Industry, Science, Energy and Resources (the department) on 22 September 2020, requesting an internal review of a decision under section 54 of the *Freedom of Information Act 1982* (the FOI Act).

**Background**

In correspondence of 22 September 2020, you requested an internal review of the department's decision of 18 September 2020 (original decision). A copy of the original decision is attached for your reference.

In your correspondence you stated:

*I am writing to request an internal review of Department of Industry, Innovation and Science's handling of my FOI request 'Incubator support initiative process and DOI requests'.*

*It is not beyond the means of the Department to count responses to 250 emails especially given the public interest surrounding the incubator support initiative. If it assists, I will constrain my request to a monthly number of DOI approaches only - removing the requirement to count the number of RIF respondents.*

*A full history of my FOI request and all correspondence is available on the Internet at this address: [https://www.righttoknow.org.au/request/incubator\\_support\\_initiative\\_pro](https://www.righttoknow.org.au/request/incubator_support_initiative_pro)*

On 6 October 2020, the department requested clarification regarding your request in relation to your offer to reduce the size of your request. The department advised you:

*In accordance with s54 of the FOI Act and Part 9.1 of the FOI Guidelines, the FOI applicant "may request the agency to review its original decision and make a fresh decision; the internal review can extend to a decision to refuse access either wholly or in part, or to a decision on FOI charges". Therefore, an internal review decision is made based on the scope of the original decision.*

**industry.gov.au**

Industry House - 10 Binara Street, Canberra City, ACT 2601  
GPO Box 2013 Canberra ACT 2601 ABN: 74 599 608 295

In this instance, the information you have sought is not available in discrete form in written documents held by the department. I am satisfied that the work involved to produce such a document would substantially and unreasonably divert the resources of the department from its other operations.

The search and creation of this document would involve reviewing over 250 documents. I am of the view that there are also additional areas where searches have not been completed which are likely to have additional relevant documents, and therefore the total number of relevant documents is likely to be higher than the estimate. The data would then need to be analysed and formatted by month. Currently, the department is experiencing a high volume of FOI requests which is diverting the resources of certain areas from their standard operations. Therefore, I am satisfied this request would be considered unreasonable as it would be a substantial diversion of the department's resources at the present time.

#### **Review rights**

If you are dissatisfied with any part of my decision, your review rights are set out in **Attachment A**.

Please do not hesitate to contact the FOI team by e-mail at [FOI@industry.gov.au](mailto:FOI@industry.gov.au), if you require any further clarification.

Yours sincerely



Emma Greenwood  
Head of Division  
Support for Business

16 October 2020

#### **Enclosures**

Original Decision  
Attachment A – Review Rights