



Australian Government

Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT
BARTON

FOI

FOI/2020/214

FREEDOM OF INFORMATION ACT 1982

REQUEST BY: Trav S

**DECISION BY: Peter Rush
Assistant Secretary
Parliamentary and Government Branch**

By email: foi+request-6704-795fb831@righttoknow.org.au

Dear Trav S

I refer to your request of 11 September 2020, made to the Department of the Prime Minister and Cabinet (the **Department**) under the *Freedom of Information Act 1982* (the **FOI Act**), in the following terms:

Please provide the requested information administratively, but if this is not reasonably possible consider it a request for information under the FOI Act.

I seek a copy of the handbook, manual or work instruction governing the drafting/production of declarations or amendments to the Humanitarian Overseas Service Medal.

Please don't provide the medal's Letters Patent or governing regulations in this request.

Authorised decision-maker

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the Act.

Decision

I have decided to refuse your request under section 24A(1)(b)(ii) of the FOI Act.

Reasons

Section 24A(1) of the FOI Act provides that:

An agency or Minister may refuse a request for access to a document if:

(a) all reasonable steps have been taken to find the document;

and

(b) the agency or Minister is satisfied that the document:

(i) is in the agency's or Minister's possession but cannot be found; or

(ii) does not exist.

The drafting/production of declarations or amendments to the Humanitarian Overseas Service Medal (HOSM) are undertaken by the Office of Parliamentary Counsel (OPC) based on instructions from the Department of the Prime Minister and Cabinet as the agency with policy responsibility for the HOSM.

Noting the division of responsibility between the Department and OPC described above, and having regard to where documents relevant to the request might be held, if they exist, the Department undertook relevant searches, but no documents meeting the request have been found.

I am satisfied that all reasonable steps have been taken to find documents meeting the terms of your request and that no such documents exist in the Department.

I have therefore decided to refuse your request under section 24A(1)(b)(ii) of the FOI Act.

Processing and access charges

I have decided not to impose charges in respect of your request.

Review rights

Information about your rights of review under the FOI Act is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

Complaint rights

You may make a complaint to the Information Commissioner about the Department's actions in relation to a request. Making a complaint about the way the Department has handled an FOI request is a separate process to seeking review of the Department's decision. Further information about how to make a complaint is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Rush', written in a cursive style.

Peter Rush
Assistant Secretary
Parliamentary and Government Branch

12 October 2020