



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

Our ref: 67668

Allan Phu
via Right to Know

By email: foi+request-6952-9800d8c2@righttoknow.org.au

Dear Allan

Freedom of Information Act – Notice of intention to refuse

I refer to your request received by the Department of Industry, Science, Energy and Resources (the department) on 6 December 2020 in which you sought access under the *Freedom of Information Act 1982* (the FOI Act) to the following:

I'm seeking all regional incubator facilitator (RIF) disclosures and relevant decisions in entrepreneur programme committee (EPC) meetings and the ad-hoc minute approved by the incubator support initiative manager on 20/6/18.

Under subsection 24(1) of the FOI Act, I am satisfied that a practical refusal reason exists in relation to this request. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

The department comprises of many divisions that span a number of portfolios and programme areas. Your request does not specify a program area of the department. The Entrepreneur Programme Committee's (EPC) remit comprises of three programs: Incubator Support Initiative (ISI), Accelerating Commercialisation (AC) and the Business Research Innovation Initiative (BRII). ISI and AC applications are assessed in the same meetings, meaning any minutes provided for ISI will also contain AC information.

The EPC does not make decisions for funding applicants, the Committee provides recommendations to the Minister and/or the program delegate. Should you require all of the committee recommendations, this would be a large request, as EPC was established in 2015.

Your request does not contain any information that might be used to narrow down the possibilities sufficiently to begin a search for documents. Without further information it is unfeasible to conduct reasonable search of the numerous document repositories each of the programme areas of the department use and be satisfied that all possible documents within the scope of your request are found.

In accordance with section 24(1)(a) and 24AB of the FOI Act, I am writing to provide you with written notice that I intend to refuse your request on the grounds that a practical refusal reason exists and to initiate a request consultation process in accordance with section 24AB of the FOI Act.

Request consultation process

Before I make a decision to refuse your request under section 24(1)(b) of the FOI Act, I would like to provide you with the opportunity to revise the scope of your request so that a 'practical refusal reason' no longer exists. Although it is your responsibility to suggest ways that your request may be revised and narrowed, you may consider limiting your request to particular topics or particular timeframes.

Further, you may wish to consider the following suggestions to revise the scope of your FOI request (please note that these are suggestions only and do not guarantee the practical refusal reason/s will no longer exist):

- Consider confining your request to a specific timeframe
- Identify the program relevant to the scope of your request
- Clarify what kind of decisions made by EPC are relevant to your scope of request

Should you wish to revise your request, you must do so **within 14 days** after the day you are given this notice (unless extended by agreement with the department). If you are unable to meet this deadline and wish to arrange an extension of time in which to consider this matter, or would like to discuss how you could best revise the scope of the request, please contact the FOI team by email at FOI@industry.gov.au.

Under subsection 24AB(6) of the FOI Act, you must, before the end of the 14-day consultation period, do one of the following by written notice to the department:

- a) withdraw the request;
- b) make a revised request; or
- c) indicate that you do not wish to revise the request.

Please note that under subsection 24AB(7), the request is taken to have been withdrawn at the end of the 14 day consultation period if:

- (a) the applicant does not consult the contact person during the consultation period in accordance with this notice; or
- (b) the applicant does not do one of the things mentioned in subsection(6) before the end of the consultation period.

In accordance with subsection 24AB(8) of the FOI Act, the 14-day consultation period is to be disregarded in calculating the processing period for the request.

Your written response should be addressed to:

FOI Coordinator
Department of Industry, Science, Energy and Resources
GPO Box 2013
CANBERRA ACT 2601

Or by email to: FOI@industry.gov.au

Should you wish to discuss this matter further, please contact the FOI team by email at FOI@industry.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sasha Pesic', with a vertical line extending upwards from the start of the signature.

Sasha Pesic
Senior FOI Officer
Legal, Audit & Assurance

December 2020