



Australian Government
Attorney-General's Department

14/12403

16 October 2014

Mr Geordie Guy

Sent via email: foi+request-764-f22c7119@righttoknow.org.au

Dear Mr Guy

Freedom of Information Request no. FOI14/195

I refer to your request for access to documents relating to copyright under the *Freedom of Information Act 1982* (FOI Act).

I, Carmen Miragaya, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

In your request you sought documents relating to:

copies of all individual submissions to the recent Online Copyright Infringement consultation, submissions for which closed on the 1st of September 2014.

I decided that a practical refusal reason exists because of the large number of documents falling within the scope of your request. I have identified approximately 630 individual submissions to the Online Copyright Infringement public consultation. I have estimated that it will take approximately 81 hours to process your request, including time to review and edit the documents and prepare a schedule and statement of reasons.

At the time of lodging a submission, those interested in doing so were able to specify whether they agreed to their submission being published, agreed to it being published but with their name removed or did not agree to the submission being published. Based on the estimated time required to process your request and the large number of documents containing personal information of individuals, many of whom have not consented to its disclosure, I am satisfied that processing your request would be a substantial and unreasonable diversion of the Department's resources.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, our agency will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

On 10 October 2014 we wrote to you suggesting that you might like to withdraw your request and have the department provide you with the submissions (edited to remove personal information) outside the FOI Act process. The department is working to edit the submissions in order to make them available as a collection on computer disc. The process is estimated to take a couple of weeks and I anticipate that the disc will be available in late October.

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request
- make a revised request
- tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the contact person I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. (Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request.)

If you do not do one of the three things listed above during the consultation period or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

Contact officer

If you would like to revise your request or have any questions, please contact Meagan Wilson, FOI case manager, by telephone on 02 6141 6666 or by email foi@ag.gov.au.

Yours sincerely



Carmen Miragaya
Acting Assistant Secretary