

6 April 2022

Alexander

By email: [foi+request-8573-2558d0b4@righttoknow.org.au](mailto:foi+request-8573-2558d0b4@righttoknow.org.au)

ACMA file reference: ACMA2022/129

Dear Alexander

**Request for access to documents under the *Freedom of Information Act 1982***

I refer to your request under the *Freedom of Information Act 1982* (the FOI Act) received by the Australian Communications and Media Authority (the ACMA) on 8 March 2022 in which you sought access to:

“the current Declarations of Public Interest documents or the equivalent current public interest disclosures for:

Nerida O’Loughlin

Creina Chapman

James Cameron

Chris Jose

Fiona Cameron

Anita Jacoby

Delia Rickard

Anna Brakey” (the officeholders).

I also refer to my letters to you dated 18 March 2022 and 29 March 2022 about your request.

**Scope of your request**

As noted in my letters, I assume, from your description of documents, that you seek access to the current declarations or disclosures of interests made by the officeholders individually in compliance with their statutory obligations, which help to identify and manage any conflicts of interest in a way that serves the public interest.

In my letters I asked you to let me know if my assumption as to the scope of your request is incorrect. I also indicated that if you want access to other documents, you will need to give sufficient information to enable the ACMA to identify those documents.

In my letter dated 29 March 2022, I asked for a response by close of business on 1 April 2022 and indicated that, if I did not receive a response within that timeframe, I would process your request on the basis that my assumption as to the scope of your request is correct and that you do not want access to other documents. As I did not receive a response within that timeframe, I am processing your request on that basis.

### **Third party consultation**

A number of documents identified as falling within the scope of your request contain personal information about other individuals (the relevant documents).

Subsection 47F(1) of the FOI Act provides that a document is conditionally exempt if its disclosure under that Act would involve the unreasonable disclosure of personal information about any person. Subsection 11A(5) of the FOI Act provides that an agency must give an applicant access to a document sought that is conditionally exempt at a particular time unless (in the circumstances) access to the document at that time would, on balance, be contrary to the public interest.

The individuals whose personal information is contained in the relevant documents may reasonably wish to make a contention that the documents are conditionally exempt under subsection 47F(1) and that access to the documents would, on balance, be contrary to the public interest for the purposes of subsection 11A(5). Consequently, the ACMA is required, in accordance with section 27A of the FOI Act, to give those individuals a reasonable opportunity to make submissions in support of that contention.

I have therefore written to the individuals to give them this opportunity in relation to the relevant documents.

### **Timeframe for processing your request**

To enable the third party consultation referred to above to occur, the statutory timeframe for processing your request has, in accordance with subsection 15(6) of the FOI Act, been extended by a further period of 30 days.

The decision on access will be made as soon as practical, but in any event by 9 May 2022, unless the timeframe is further extended under the FOI Act. You will be notified should there be any further extension.

If you have any questions, please contact me at [marilyn.woolford@acma.gov.au](mailto:marilyn.woolford@acma.gov.au).

Yours faithfully



Marilyn Woolford  
Authority Secretariat  
Office of the Chair  
Authorised decision-maker under the FOI Act