



OFFICE OF THE OFFICIAL SECRETARY
TO THE GOVERNOR-GENERAL

22 April 2022

foi+request-8729-8cca9ac4@righttoknow.org.au

Re: Application under the *Freedom of Information Act 1982*
Ref: FOI2022059

I refer to your email of 11 April 2022 in which you make a request under the Commonwealth Freedom of Information Act 1982 (FOI Act) for:

“Freedom of Information regarding Letters Patent or Instruments to establish Great Seal after Federation, listing requirements for use of Moeline Crosses with Imperial State Crown.

I've advised Qld Premier Office by telephone conversation, no action would be taken by Premier Office. I received no legislation, Act given to explain "Curious Errors" involving Great Seal relation to Queensland State Emblem, appears in ERROR as a Moeline Cross appears in conflict of Queen Victoria Imperial grants to Qld Emblem.

ALL Documents, bearing that INCORRECT/INVALID Great Seal, in use from receipt from British Monarch, until Version 2.0 was issued and replaced Royal Seal used from 1907/10 until 1930-33, would then be invalid, being INCORRECTLY SEALED.

Qld State Emblem on the 1st Great Seal, is incorrect, with an Imperial Crown surmounted by MOELINE CROSS, whereas Great Seal 2.0 1930's reissue, may have been corrected

For Western Australia, the Black Swan swimming backwards or the wrong way to other examples Governor of Western Australia

1870's - 1953

The first badge of Western Australia was a yellow disk upon which a silhouetted Black Swan was emblazoned, facing the fly. It was adopted on 27 November 1875, according to Barraclough and Crampton [bcr78] and Znamierowski [zna99], but on 3 January 1870 according to Ausflag.

Martin Grieve, 28 February 2006

In 1953 the black swan was reversed so that it faced hoistwards.

Martin Grieve, 1 March 2006.

Heraldry UK, were also unable to explain, why they were issued defective, Qld & WA only having errors, in one other request from Australia I located.

Thank you for your assistance, locating specifications listed to create and issue, Great

Seal Commonwealth of Australia, both versions please 1st Great Seal before 1910 & 2nd version in 1930's, have a great day"

I am the authorised decision maker under section 23 of the FOI Act and this letter sets out my decision on your request for access.

Material taken into account

In making my decision, I have had regard to the following:

- the terms of your request;
- advice from Agency officers with responsibility for matters relating to the documents to which you sought access;
- the relevant provisions of the FOI Act; and
- the Commonwealth's guidelines on FOI.

Section 6A of the FOI Act

The FOI Act does not apply to the Governor-General. Under section 6A, the FOI Act also has a restricted application to the Official Secretary to the Governor-General (Official Secretary) which provides:

- (1) This Act does not apply to any request for access to a document of the Official Secretary to the Governor-General unless the document relates to matters of an administrative nature.
- (2) For the purposes of this Act, a document in the possession of a person employed under section 13 of the *Governor-General Act 1974* that is in his or her possession by reason of his or her employment under that section shall be taken to be in the possession of the Official Secretary to the Governor-General.

The phrase 'matters of an administrative nature' is not defined in the FOI Act. The High Court of Australia held in *Kline v Official Secretary to the Governor General* [2013] HCA 52 that the phrase refers to documents that concern 'the management and administration of office resources, such as financial and human resources and information technology' (at [13]). By contrast, the High Court held the phrase does not apply to documents that relate to the discharge of the Governor-General's 'substantive powers and functions'.

Decision

The Office has been unable to identify any documents within the scope of your request. Accordingly, I advise that I must reject your request under section 24A of the FOI Act on the basis that the document(s) sought do not exist or cannot be found.

Information provided outside the Office's obligation

The information you seek may be available on the websites of Department of Prime Minister and Cabinet or the Museum of Australian Democracy. Please see links below for reference.

- [Department of the Prime Minister and Cabinet](#)
- [Museum of Australian Democracy](#)

Review rights

You are entitled to seek review of this decision. Your rights are set out at Attachment A to this letter.

Yours sincerely

A handwritten signature in black ink that reads "Harnawsky". The signature is written in a cursive style with a large, sweeping initial 'H' and a long, curved tail on the 'y'.

Jo Tarnawsky

Deputy Official Secretary to the Governor-General

ATTACHMENT A — INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

You can request internal review within 30 days of you receiving this decision. An internal review will be conducted by a different officer from the original decision-maker.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed. Applications for internal review can be made:

- via email to FOIcontactofficer@gg.gov.au
- by mail to The Official Secretary to the Governor-General, Government House, CANBERRA ACT 2600

If you choose to seek an internal review, you will afterward have a right to apply for Information Commissioner review (IC review) of the internal review decision.

OR

2. INFORMATION COMMISSIONER REVIEW OR COMPLAINT

You also have the right to seek IC review of this decision. For FOI applicants, an application for IC review must be made in writing within 60 days of the decision. For third parties who object to disclosure of their information, an application for IC review must be made in writing within 30 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify this office as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>
- via email to foidr@oaic.gov.au
- by mail to GPO Box 5218 Sydney NSW 2001, or
- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available at its website: www.oaic.gov.au/freedom-of-information/foi-review-process.