



23 August 2022

Ms Jane Seaborn

By email only: [foi+request-9132-9d349267@righttoknow.org.au](mailto:foi+request-9132-9d349267@righttoknow.org.au)

Dear Ms Seaborn,

**Freedom of Information – notice of extended timeframe due to third party consultation**  
**FOI Reference number: 22/23 - 2**

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I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act), received by the Fair Work Commission (Commission) on 15 July 2022.

On 1 August 2022, I sent you an estimate of preliminary charges to process your request, and on the same date you agreed to pay the estimated charges. The time to process your request was suspended on 1 August 2022 and started again when confirmation of the deposit being paid was received by the Commission. The Commission received the deposit on 16 August 2022, therefore the new due date for your request was 28 August 2022.

**Personal information – consultation process**

As your request covers documents which contain the personal information of other individuals, if it is reasonably practicable, the Commission is required (under section 27A of the FOI Act) to consult with those individuals before making a decision on the release of those documents.

For this reason, the period for processing your request has been extended by 30 days to allow the Commission time to consult. The due date for a decision on your request is now **26 September 2022**.

The consultation mechanism under section 27A of the FOI Act applies if an FOI request is made for documents and it appears to the Commission that the individuals concerned may wish to contend that the documents are conditionally exempt under section 47F of the FOI Act (personal privacy) and that release of the documents would, on balance, be contrary to the public interest.

Section 27A also requires the Commission to have regard to any submissions made by a third party under section 27A, but the final decision about whether to grant you access to the documents rests with the Commission.

**Disclosure Log**

Any information released to you under the FOI Act may be published on the FOI Disclosure Log on the Commission's website, as required under section 11C(3) of the FOI Act, except to the extent that it would be unreasonable under section 11C(1) to publish any of the information.

If you have any queries, please contact me.

Yours sincerely

Tracey  
FOI and Privacy Officer  
Legal Services  
Fair Work Commission

Email: [foi@fwc.gov.au](mailto:foi@fwc.gov.au)