



Australian Government

Department of Industry, Innovation,
Climate Change, Science, Research
and Tertiary Education

Our ref: DIISR 13/06794

GPO Box 9839
Canberra ACT 2601 Australia
Web: www.innovation.gov.au
ABN: 74 599 608 295

Mr Jeremy Cooper-Stout

By email: foi+request-92-4d0811e0@righttoknow.org.au

Dear Mr Cooper-Stout

I refer to your request received by the Department of Industry, Innovation, Science, Research and Tertiary Education (the department) on 13 April 2013, in which you sought access under the *Freedom of Information Act 1982* (the FOI Act) to the following:

"[1] Any minute, briefing paper or similar prepared for the Minister for Tertiary Education relating to the imposition of efficiency dividends on tertiary education providers;

[2] Any minute, briefing paper or similar prepared for the Minister for Tertiary Education relating to changing the student start-up scholarships to require them to be repaid.

[3] Any and all correspondence to the Minister and/or his advisors relating to points 1 and 2."

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.

My view is based on a conservative estimate that over 136 hours of decision making and processing time is required to deal with this request. I also wish to advise that:

- I estimate that there are approximately 411 folios relevant to your request as presently framed; and
- There are at least 2 third parties identified in the relevant documents and consultation will be required prior to considering possible release of many of the documents falling within the scope of the request.

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.

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 on (02) 6102 8104 or (02) 6213 7640 or by email at FOI@innovation.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, Innovation,
Climate Change, Science, Research and Tertiary Education
GPO Box 9839
CANBERRA ACT 2601

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

Should you wish to discuss this matter further, please contact the FOI team on (02) 6102 8104 or (02) 6213 7640.

Yours sincerely,



David De Carvalho
Head of Division
Higher Education Division

13 May 2013