



Australian Government

Department of Finance

Reference: FOI 22/57
Contact: FOI Team
e-mail: foi@finance.gov.au

BE

By email only: foi+request-9226-8303617d@righttoknow.org.au

Dear BE

Freedom of Information Request – FOI 22/57

On 4 August 2022, the Department of Finance (Finance) received your email requesting access under the Commonwealth *Freedom of Information Act 1982* (FOI Act) to the following documents:

I seek access under the FOI Act 1982 to Question Time briefs (however described). This request is limited to Question Time briefs for the 47th Parliament (ie Question Time briefs prepared for 27 – 28 July and 1-4 August).

I also request a copy of the Department’s current index of Question Time briefs.

Duplicate copies of the same document are not required, although different or updated versions of a document are. If a document contains tracked changes or comments, it is requested that the document be provided in a form where all tracked changes and comments are visible.

Names and contact details for departmental staff below the SES level are not required and can be treated as irrelevant under s22 of the Act for the purposes of this request.

The purpose of this letter is to provide you with notice that the work involved in processing your request in its current form would substantially and unreasonably divert Finance’s resources from its other operations. This is called a ‘practical refusal reason’. The availability of the practical refusal reason in the FOI Act is to ensure that the capacity of Finance to discharge their normal functions are not undermined by processing requests that are unreasonably burdensome.

On this basis of the above practical refusal reason, 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’.

Authorised decision-maker

I am authorised by the Secretary of Finance to make decisions in relation to FOI requests.

Why I intend to refuse your request

Under subsection 24AA(2) I must have regard to the resources that would have to be used by Finance for:

- identifying, locating or collating the documents within Finance's filing system
- deciding whether to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document (including resources that would have to be used for examining the document or consulting with any person or body in relation to the request)
- making a copy or an edited copy, of the document
- notifying any interim or final decision on the request.

I decided that a practical refusal reason exists because your request requires Finance to:

- review 34 final versions of documents consisting of 174 pages, which are relevant to your request. Each document relates to a different subject, and requires consultation across a large number of internal business areas.
- Review 959 versions of those 34 documents. A new version is created whenever the document is edited and/or when there is a workflow change. This means that not every version will have changes to the document, as some will but every version will need to be checked to identify the differences, if any, between the versions. I consider that, at a conservative estimate, that this would require at least 10 times as much work as only reviewing the final versions of the documents.

Request consultation process: clarifying the terms of your request

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, so that Finance will be able to pinpoint the documents quickly and avoid using excessive resources to process documents you are not interested in.

I consider that if you were to narrow the scope of your request by removing draft versions of documents from the scope of your request, then Finance would be in a position to process your request.

You are required to take further action

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

- withdraw your request
- revise your request
- tell Finance that you seek to proceed with your original request.

The consultation period runs for **14 days** starting on the day after you receive this notice. This means you must respond to this notice in one of the ways set out above on or before **Friday 2 September 2022**.

During this period, you are welcome to seek assistance from the contact officer 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, Finance will recommence processing your request.

Please note, the time taken to consult with you regarding your request is not taken into account for the purposes of the 30 calendar day statutory processing period in which Finance is required to finalise your request.

If you do not respond electing to do one of the three options listed above during the consultation period or you do not consult the contact person during this period, the FOI Act deems your request to have been withdrawn. If your request is deemed withdrawn, you are not prevent from making a new request in the future.

Contact officer

If you would like to revise your request or have any questions, the contact officer for your request is:

Jonathan Messieh
FOI Officer
Foi@finance.gov.au

Yours sincerely,



Vanessa Boyley
A/g Assistant Secretary
Parliamentary and Corporate Engagement Branch | Corporate Services Division
Department of Finance
19 August 2022