



18 April 2023  
FOI ref: 3271

John Smith  
By email: [foi+request-9875-627301f0@righttoknow.org.au](mailto:foi+request-9875-627301f0@righttoknow.org.au)

Dear Mr Smith

### **FREEDOM OF INFORMATION REQUEST – INTERNAL REVIEW DECISION**

I refer to your email of 19 March 2023 seeking internal review of the access refusal decision under the *Freedom of Information Act 1982 (FOI Act)* of Kathryn Grimes dated 2 March 2023.

#### ***Original request***

On 7 February 2023, you sought the following:

*[T]he declarations of interest documentation made by the head of the Revenue, Small Business and Housing area and the Secretary of the Treasury.*

#### ***Internal review decision***

I am authorised under section 23 of the FOI Act to make decisions.

I have conducted an internal review of the original decision, which is a fresh consideration of the matter. I was not involved in the making of the decision under review.

I agree with the reasoning provided in the original decision that the documents are conditionally exempt under section 47F of the FOI Act, and contrary to the public interest to disclose.

Therefore, I have decided to affirm the original decision to refuse access.

#### **Material considered**

The material to which I have had regard in making this decision includes:

- the scope of your FOI request and the matters raised in your request for internal review;
- the content of the documents subject to the request;
- advice from subject matter experts within the Treasury; and

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Langton Crescent  
Parkes ACT 2600  
Australia

P: +61 2 6263 2800

- advice from subject matter experts within the Treasury; and
- the relevant provisions in the FOI Act and the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (**FOI Guidelines**).

**Review rights**

A statement setting out your review rights regarding my decision is attached.

Yours sincerely



Roxanne Kelley  
Deputy Secretary  
Corporate and Foreign Investment Group

## **INFORMATION ON RIGHTS OF REVIEW**

### **1. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION**

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

An application for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

### **AND/OR**

### **2. COMPLAINTS TO THE INFORMATION COMMISSIONER**

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.