

OFFICIAL



**OFFICE OF THE HON STEPHEN JONES MP**  
ASSISTANT TREASURER AND MINISTER FOR FINANCIAL SERVICES

FOI ref: 3272, 3273 and 3274

Wednesday 1 March 2023

Andorra Loom

By email: [foi+request-9883-cd5b391a@righttoknow.org.au](mailto:foi+request-9883-cd5b391a@righttoknow.org.au);  
[foi+request-9884-4a807c9e@righttoknow.org.au](mailto:foi+request-9884-4a807c9e@righttoknow.org.au);  
[foi+request-9885-72cbacc8@righttoknow.org.au](mailto:foi+request-9885-72cbacc8@righttoknow.org.au)

Dear Andorra Loom

I refer to your requests received on 2 February 2023, under the *Freedom of Information Act 1982 (FOI Act)*, in the following terms:

**FOI 3272:**

*Consistent with the Freedom of Information Act 1982, I request all correspondence by email or letter between the Assistant Treasurer and Industry Super Australia Pty Ltd.*

*The timeframe for this request is between 23rd May 2022 and 1st August 2022.*

*I am not seeking drafts of the above documents.*

**FOI 3273:**

*Consistent with the Freedom of Information Act 1982, I request all correspondence by email or letter between the Assistant Treasurer and The Association of Superannuation Funds of Australia Ltd.*

*The timeframe for this request is between 23rd May 2022 and 1st August 2022.*

*I am not seeking drafts of the above documents.*

**FOI 3274:**

*Consistent with the Freedom of Information Act 1982, I request all correspondence, and associated briefing material, between the Assistant Treasurer and The Australian Institute of Superannuation Trustees.*

*The timeframe for this request is between 23rd May 2022 and 1st August 2022.*

*I am not seeking drafts of the above documents.*

I am an authorised decision maker under the FOI Act.

In deciding whether a practical refusal reason exists, two or more requests may be treated as a single request if the agency or minister is satisfied that:

- the requests relate to the same document or documents (section 24(2)(a)); or
- the subject matter is substantially the same for the requests (section 24(2)(b)).

I am satisfied that the subject matters of your requests are substantially the same for the purpose of section 24(2)(b) of the FOI Act.

I am writing to tell you that I believe that the work involved in processing your requests would substantially and unreasonably interfere with the performance of the Minister's functions due to its broad scope. This is called a 'practical refusal reason' under section 24AA of the FOI Act.

On this basis, I intend to refuse access to the documents you have requested. However, you have an opportunity to revise your request before I make a final decision. This is called a 'request consultation process' in section 24AB of the FOI Act.

You have **14 days** to respond to this notice in one of the ways set out below.

***Why I intend to refuse your request***

I decided that a practical refusal reason exists due to the large number of documents identified as potentially falling within the broad scope of your request.

The Assistant Treasurer and Minister for Financial Services holds responsibility for superannuation.

An initial search for emails with the requested organisations located hundreds of emails plus attachments. Each email and email attachment will need to be opened and read for relevance. Documents found to be in scope will then need to be scheduled, closely reviewed for sensitives, third party consultation may need to be undertaken, edited versions of documents prepared for release and a decision letter drafted. I am satisfied this would place an unreasonable burden on the small number of Office staff. I am also satisfied that processing the request would substantially and unreasonably interfere with the performance of the Minister's functions.

***Request consultation process***

You have an opportunity to revise your request. This might mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. This will assist the Office staff to focus on the documents that you are most interested in, saving time and resources.

Examples of possible revisions include:

- Reducing your request to one organisation.
- Providing specific information a document must contain to be in scope.
- Providing a very narrow date range.

More than one revision type will be needed to sufficiently refine the scope of your request. Even if you follow all of the above suggestions, it is still possible that processing the request will be a substantial and unreasonable interference with the performance of the Minister's functions.

If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30-day time limit for processing your request.

***What you need to do***

**You must contact us within 14 days** from day after you receive this notice to:

- withdraw your request
- make a revised request
- tell us that you do not wish to revise your request.

The Treasury FOI team is available to help you during the consultation period by phone on (02) 6263 2800 or by email to [FOI@treasury.gov.au](mailto:FOI@treasury.gov.au). If you do not respond to the FOI team within the 14 days, your request will be taken to be withdrawn.

Yours sincerely



Tom Iggulden  
Senior Adviser