

Senate Standing Committee on Education and Employment

**QUESTIONS ON NOTICE
Budget Estimates 2014-2015**

Agency - Fair Work Commission

Department of Employment Question No. EM0326_15

Senator Ludwig provided in writing.

Question

FWC - FOI requests - consultation with other departments, agencies and the Minister

The following questions relate to requests made pursuant to the Freedom of Information Act (the Act):

1. Other than for the purpose of discussing a transfer under section 16 of the Act, does the Department consult or inform other Departments or Agencies when it receives Freedom of Information requests?
2. If so, for each instance provide a table setting out the following information:
 - a. The Department or Agency which was consulted;
 - b. The document;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
3. Other than for the purposes of discussing a transfer under section 16 of the Act, has the Department consulted or informed the Minister's office about Freedom of Information requests it has received?
4. If yes, provide a table setting out the following information:
 - a. The requests with respect to which the Minister or Ministerial office was consulted;
 - b. The Minister or Ministerial office which was consulted;
 - c. The purpose of the consultation;
 - d. Whether an extension of time was sought from the applicant to allow time for the consultation, including whether it was granted and the length of the extension;
 - e. Whether an extension of time was sought from the Information Commissioner to allow time for the consultation, including whether it was granted and the length of the extension
 - f. Whether any briefings (including formal briefs, email briefings and verbal briefings) were provided to the Minister's office

Answer

1. The Fair Work Commission will consult with other Departments or Agencies about a Freedom of Information request it has received if the consultation provisions under the Freedom of Information Act apply. The Fair Work Commission may also notify a Department or Agency, as a matter of courtesy, if documents or correspondence from that Department or Agency are going to be released by the Commission under the Act.

2. None have occurred between 18 September 2013 and 2 June 2014.
3. None have occurred between 18 September 2013 and 2 June 2014.
4. Not applicable.