

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2005-2006 ADDITIONAL SENATE ESTIMATES HEARING
16 FEBRUARY 2006
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

QUESTIONS ON NOTICE

Outcome: Corporate

Question Number: W763-06

Question:

Senator Marshall asked in writing:

In relation to The Age article of 14 January 2006, can the department explain the rationale behind its decision to attach a \$5158 fee to the release of these documents? Have the documents been released, if not why not? If not can the documents be released to the Committee?

Answer:

It is not generally appropriate to discuss the specifics of a Freedom of Information ('FOI') application for privacy and/or commercial reasons. Further, there are review mechanisms available to the applicant (including internal review, application to the Administrative Appeals Tribunal and the Ombudsman) under the *Freedom of Information Act 1982*, which would be more appropriate forums to deal with the particulars of the matter. Responding to questions regarding specific FOI matters would be particularly inappropriate where the applicant has not exhausted those review mechanisms.

The Department calculates the charge for processing a FOI request in accordance with the *Freedom of Information Act 1982* and the Freedom of Information (Fees and Charges) Regulations.

It would not be appropriate to release the documents to the Committee.