

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES 2011-2012

Prime Minister and Cabinet Portfolio

Department/Agency: Australian Public Service Commission
Outcome/Program: Cross Portfolio
Topic: Freedom of Information

Senator: Fifield

Question reference number: 134

Type of question: Written

Date set by the committee for the return of answer: 8 July 2011

Number of pages: 2

Question:

- 1. Has the Department/agency received any advice on how to respond to FOI requests?**
- 2. How many FOI requests has the Department received?**
- 3. How many have been granted or denied?**
- 4. How many conclusive certificates have been issued in relation to FOI requests?**

Answer:

The Committee requested similar information from the Commission in December 2010. This response refers to the period 4 December 2010 to 28 June 2011.

1. Yes.

The Australian Public Service Commission (the Commission) subscribes to a number of electronic mailing lists that provide information on Freedom of Information (FOI). For example, the Office of the Australian Information Commissioner (OAIC) regularly provides information through its OAICnet Email service. This information frequently includes advice on FOI matters, including general advice on how to respond to FOI requests. In addition to its OAICnet Email service, the OAIC also provides information to Commonwealth agencies through its Govdex site.

The Commission also subscribes to electronic mailing lists provided by a number of law firms as well as the Australian Government Solicitor. These mailing lists occasionally include information about FOI.

The Commission has requested and received advice directly from the OAIC about matters concerning the processing of FOI requests.

The Commission has received external legal advice in relation to individual FOI requests when considered necessary.

2. During the period 4 December 2010 to 28 June 2011 the Australian Public Service Commission received three FOI requests and the Office of the Merit Protection Commissioner received 10 FOI requests.
3. Of the three FOI requests received by the the Australian Public Service Commission, one was granted in full, one was withdrawn and one is currently under consideration. With respect to the request that was withdrawn, documents were provided outside the provisions of the FOI Act.

In relation to the requests received by the Office of the Merit Protection Commissioner, three were granted in full, one was granted in part, four were withdrawn and two are currently under consideration. With respect to the four withdrawn requests, documents were provided to three of the applicants outside the provisions of the FOI Act.

4. None.