

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

Finance and Deregulation Portfolio

**Department/Agency:** Department of Finance and Deregulation

**Outcome/Program:** General

**Topic:** Freedom of Information

**Senator:** Ryan

**Question reference number:** F68

**Type of question:** Written

**Date set by the committee for the return of answer:** Friday, 2 December 2011

**Number of pages:** 2

**Question:**

- a) Has the Department/agency received any advice on how to respond to FOI requests?
- b) How many FOI requests has the Department received for the year 2010-11? How many have been granted or denied?
- c) How many conclusive certificates have been issued in relation to FOI requests for the year 2010-11?
- d) How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

**Answer:**

- a) Yes:
  - The Office of the Australian Information Commissioner (OAIC) has issued guidelines under s 93A of the *Freedom of Information Act 1982*; and
  - The Department of the Prime Minister and Cabinet (PM&C) issued the 'FOI Guidance Notes – July 2011' to all departments. The guidance is available on the PM&C website.
- b) In 2010-11, Finance received 102 FOI requests. Thirty two were released in full, 18 were released in part and 16 were refused.
- c) Nil, conclusive certificates were abolished on 7 October 2009.
- d) For the period 1 July to 30 September 2011, Finance received 29 FOI requests. Two were released in full, two were released in part and one was refused.
- e) Nil.

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**SUPPLEMENTARY BUDGET ESTIMATES 2011-2012**

**Finance and Deregulation Portfolio**

**Department/Agency:** Australian Electoral Commission

**Outcome/Program:** General

**Topic:** Freedom of Information requests

**Senator:** Ryan

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- d) How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

**Answer:**

- a) The only advice received by the AEC on FOI matters has been general advice from the Office of the Australian Information Commissioner on dealing with all FOI requests.
- b) Please refer to page 205 of the AEC's Annual Report for 2010-2011.
- c) Nil.
- d) As at 30 September 2011, the AEC has received one new FOI request which was granted in part.
- e) Nil.

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

Finance and Deregulation Portfolio

**Department/Agency:** ComSuper  
**Outcome/Program:** General  
**Topic:** Freedom of Information requests

**Senator:** Ryan  
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- d) How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

**Answer:**

- a) Yes. ComSuper received advice from the Office of the Australian Government Solicitor on whether to refuse, on the grounds of legal professional privilege, a request for a document sought by a member of the Public Sector Superannuation (PSS) scheme. In another case, advice was sought from the Office of the Australian Information Commissioner on the time limit for providing a MilitarySuper member with reasons for a decision. Staff involved in processing FOI requests have also received general advice and information through training offered by the above agencies.
- b) Please refer to page 125 of the Commissioner for Superannuation 2010-11 Annual Report.
- c) Not applicable as ComSuper has not been involved in conclusive certificates.
- d) ComSuper received 36 FOI requests for the period 1 July 2011 to 30 September 2011. Of these, 32 requests were granted in full, one partially granted, one denied, and two applications were still under consideration as at 30 September 2011.
- e) Not applicable as ComSuper has not been involved in conclusive certificates.

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

**Finance and Deregulation Portfolio**

**Department/Agency:** Commonwealth Superannuation Corporation  
**Outcome/Program:**  
**Topic:** FOI requests

**Senator:** Ryan

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- d) How many FOI requests has the Department received for this FYTD? How many have been granted or denied?
- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

**Answer:**

- a) Yes.
- b) Refer to ARIA's Annual Report to Parliament 2010-2011, p. 235. Weblink here: [http://www.aria.gov.au/annualreport/1011/appendix\\_1011.shtml#anchor-4](http://www.aria.gov.au/annualreport/1011/appendix_1011.shtml#anchor-4)
- c) Nil.
- d) Nil.
- e) Nil.

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**ANSWERS TO QUESTIONS ON NOTICE**  
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**Finance and Deregulation Portfolio**

**Department/Agency:** Future Fund Management Agency

**Outcome/Program:** General

**Topic:** Freedom of Information requests

**Senator:** Ryan

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- e) How many conclusive certificates have been issued in relation to FOI requests for this FYTD?

**Answer:**

- a) The Agency receives advice from the Office of the Australian Information Commissioner and from external legal providers as required.
- b) Eight. Seven granted, one withdrawn.
- c) None.
- d) Two. One granted, one withdrawn.
- e) None.