



File: T&F22/0714  
A2500780

8 August 2022

Mr Michael Brown MP  
Member for Florey  
Unit 1, 3 Wilkinson Road  
PARA HILLS SA 5096

Sent via email: [florey@parliament.sa.gov.au](mailto:florey@parliament.sa.gov.au)

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Dear Mr Brown

### Freedom of Information – Hygge Studio

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 22 June 2022.

Your application specifically requested:

*'All electronically searchable documents (including but not limited to reports, briefings, emails, notes, minutes, plans and other documents) mentioning or related to the company known as "Hygge Studio".'*

Under the Act, an agency has 30 days to respond to a freedom of information request. As DTF did not respond to your request within the time frame required, the department is deemed to have refused you access to all documents relevant to your application. However, I have determined to process the request as if the statutory time frame had been met.

The purpose of this letter is to advise you of my determination.

A total of 3 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in part to 1 document, a copy of which is enclosed, and
- I refuse you access to 2 documents.

Please refer to the attached schedule that describes each document and sets out my determination and reasons in summary form.

### Documents released in part

Document 1 is an extract from a spreadsheet used to record small business grant applications, which contains the account details for Hygge Studio. The account number is still active. If released there is a possibility some adverse effect could flow from their disclosure. As the release of this information is not likely to enhance participation by members of the public in the democratic process but could possibly have some adverse effect on Hygge Studio's financial affairs, DTF considers that, on balance, it would be contrary to the public

interest to release it. In light of this, I have determined that the information is exempt pursuant to clause 7(1)(c) of Schedule 1 to the FOI Act.

In addition, the email address listed has been redacted pursuant to clause 6(1) of Schedule 1 to the FOI Act. The information identifies a third party that is not related to Hygge Studio. As such, I have determined that this information is exempt pursuant to clause 6(1).

### **Documents refused in full**

Documents 2 and 3 are Tax Activity Statements relating to Hygge Studio which form part of Hygge Studio's business and financial affairs. If released there is a possibility some adverse effect could flow from their disclosure. As the release of this information is not likely to enhance participation by members of the public in the democratic process but could possibly have some adverse effect on Hygge Studio's financial affairs, I consider that, on balance, it would be contrary to the public interest to release it. In light of this, I have determined that the documents are exempt pursuant to clause 7(1)(c) of Schedule 1 to the FOI Act.

### **Exemptions**

#### ***Clause 6 – Documents affecting personal affairs***

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*

#### ***Clause 7 – Documents affecting business affairs***

- (1) *A document is an exempt document—*
- ...  
(c) *if it contains matter—*
- (i) *consisting of information (other than trade secrets or information referred to in paragraph (b)) concerning the business, professional, commercial or financial affairs of any agency or any other person; and*
  - (ii) *the disclosure of which—*
    - (A) *could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of such information to the Government or to an agency; and*
    - (B) *would, on balance, be contrary to the public interest.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), DTF is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars> Please visit the website for further information.

## Appeal Rights

If you are aggrieved with this determination, you have a right to apply for internal review under subsection 29(1) of the FOI Act. Pursuant to subsection 29(2), your application must:

- be in writing
- be addressed to the principal officer, and
- be lodged at an office of DTF or emailed to [freedomofinformation2@sa.gov.au](mailto:freedomofinformation2@sa.gov.au) within 30 days after the day on which you receive this letter or within such further time as the principal officer may allow.

If you require any further information, please phone Inthira Stocker on (08) 8429 3497.

Yours sincerely



Maria Ross  
ACCREDITED FREEDOM OF INFORMATION OFFICER

**OFFICIAL****Schedule of Documents**

T&F22/0714 - Mr Michael Brown MP - 'All electronically searchable documents (including but not limited to reports, briefings, emails, notes, minutes, plans and other documents) mentioning or related to the company known as "Hygge Studio". [Date Range: 01/01/2021 to 01/04/2022]'

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	27/09/2021	Small Business Grant application - COVID 19 Round 3 Business Support Grant # 00022592	1	Released in part	6(1) - Unreasonable disclosure of personal affairs
					7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
2	27/09/2021	Attachment to document 1	2	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest
3	27/09/2021	Attachment to document 1	2	Refused in full	7(1)(c)(i)(ii)(A)(B) - Contains information concerning the business, professional, commercial or financial affairs of any agency or person & contrary to public interest

[illegible]