

TRS22D1173



**Government
of South Australia**

**Office of the
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Hon. Heidi Girolamo MLC
Parliament House
North Terrace
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girolamo.office@parliament.sa.gov.au

Dear Ms Girolamo

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 10 May 2022.

Your application seeks access to:

“A current index of all briefs held on the objective document management system (a) Received by the Treasurers Office; (b) Requested by the Treasurers Office; (c) Generated by the Treasurers Office; & (d) Returned to the Department after consideration by the Treasurer or Treasurers Office Staff, between 19 March 2022 and 10 May 2022.”

The legislative prescribed timeframe to determine this application has expired and is now 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 timeframe had been met.

An extensive search was conducted within this office, with the scope of the application capturing Parliamentary Briefs. Parliamentary Briefs were prepared specifically for use in Parliament, and their disclosure would infringe the privilege of Parliament. Therefore, I have determined to exempt these documents in full, pursuant to clause 17(c) of Schedule 1 to the FOI Act.

Therefore, a total of one (1) document was identified as answering the terms of your application and I have determined as follows:

I grant you access in part to the document.

Businesses who have participated in South Australian Government projects have been redacted pursuant to clause 7(1)(c) of the Act.

Exemptions

Clause 7 – Documents affecting business affairs concerning

- (1) *A document is an exempt document—*
- (b) *if it contains matter—*

- (i) consisting of information (other than trade secrets) that has a commercial value to 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; or
- (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.

Clause 17 – Documents subject to contempt etc

A document is an exempt document if it contains matter the public disclosure of which would, but for any immunity of the Crown—

- (c) infringe the privilege of Parliament*

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

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: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination, you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact my office on (08) 8226 1866.

Yours sincerely



Hon. Stephen Mullighan MP
Principal Officer

30 June 2022

INDEX - EXTRACT FROM OBJECTIVE

 - Project Brief 7(1)(c)