



**Government
of South Australia**

TRS19D1353

Hon Stephen Mullighan MP
Member for Lee
Unit 1, 62 Semaphore Road
SEMAPHORE SA 5019

Treasurer
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State Administration Centre
200 Victoria Square
Adelaide SA 5000
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Tel 08 8226 1866
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lee@parliament.sa.gov.au


Dear Mr Mullighan

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (FOI Act), dated 21 May 2019.

Your application seeks access to:

“All minutes, briefings and correspondence titled ‘Better Use of Government Data’ as described on the Objective document management system, between 12 July 2018 and 21 May 2019.”

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. I refer to my letter dated 26 May 2019 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 2 documents were identified as answering the terms of your application.

I grant you access in full to 1 document; a copy of which is enclosed.
I refuse you access in full to 1 document.

Document Released in Full

Document 1

Document Refused in Full

Document 2 is a briefing prepared by DTF. The briefing contains matter for discussion and decisions by state Treasurers at the meeting to be held in

November 2018. If released, this could adversely affect confidential intergovernmental relations in the future.

Under clause 5 of Schedule 1 to the Act, information is exempt from disclosure if it contains matter the disclosure of which could reasonably be expected to cause damage to intergovernmental relations; or would divulge information from a confidential intergovernmental communication.

I have therefore determined to refuse access to this document pursuant to clause 5 of Schedule 1 of the FOI Act.

The briefing also contains matter the disclosure of which would disclose trade secrets of an agency and contains information that has business, professional, commercial, or financial affairs of an agency. Disclosure of this information could reasonably be expected to have an adverse effect on those affairs which could prejudice the future supply of such information to the Government.

In addressing the public interest of disclosure, there is a possibility that disclosure may inhibit frankness and candour in the future advice on considering opportunities for the better use of government data to support productivity growth for discussion at a Board of Treasurers meeting.

I therefore determine this exempt pursuant to clause 7(1)(a)(b)&(c) to the FOI Act.

Exemptions

Clause 5 – Documents affecting inter-governmental or local governmental relations

- (1) *A document is an exempt document if it contains matter—*
- (a) *the disclosure of which—*
 - (i) *could reasonably be expected to cause damage to intergovernmental relations;*
 - or*
 - (ii) *would divulge information from a confidential intergovernmental communication; and*
 - (b) *the disclosure of which would, on balance, be contrary to the public interest.*

Clause 7 – Documents affecting business affairs concerning

- (1) *A document is an exempt document—*
- (a) *if it contains matter the disclosure of which would disclose trade secrets of any agency or any other person; or*
 - (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.*

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 is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

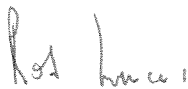
In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit 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 Vicky Cathro on 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

15 December 2019

RELEASE

Borlase, Trish (DTF)

From: Winefield, Matthew (DTF)
Sent: Friday, 2 November 2018 10:44 AM
To: DTF:Treasurer
Cc: Borlase, Trish (DTF); Gay, Brad (DTF)
Subject: RE: A911204 - Better Use of Government Data

Hi Kate, in relation to this paper below, I've just been informed that the deadline for papers to be submitted to the Board of Treasurers secretariat is Monday 12 November – (this is to ensure that other state Treasuries have time to read and comment on this before the meeting). Ideally papers would have been approved by Treasurers before then, but if not, we've been asked to provide them in draft form.

Best regards
Matthew.

From: DTF:Treasurer
Sent: Tuesday, 23 October 2018 9:31 AM
To: Winefield, Matthew (DTF) <Matthew.Winefield@sa.gov.au>
Cc: Borlase, Trish (DTF) <Trish.Borlase@sa.gov.au>
Subject: RE: A911204 - Better Use of Government Data

Hello Matthew,

Thank you for updating us on this matter, we will forward any queries and feedback from Treasurer as soon as it returns to the correspondence team.

Thank you

Kate Tonkin

Correspondence Officer to the
Hon Rob Lucas MLC
Treasurer

Phone: 8226 1866
Department of Treasury & Finance
Level 8, 200 Victoria Square | ADELAIDE SA 5000



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From: Winefield, Matthew (DTF)
Sent: Tuesday, 23 October 2018 9:23 AM
To: John, Jacinta (DTF) <Jacinta.John@sa.gov.au>; Tonkin, Kate (DTF) <Kate.Tonkin2@sa.gov.au>

Cc: Gay, Brad (DTF) <Brad.Gay@sa.gov.au>; Hocking, Stuart (DTF) <Stuart.Hocking@sa.gov.au>

Subject: RE: A911204 - Better Use of Government Data

Thanks Jacinta and Kate.

There's no particular urgency – the Board of Treasurers meeting has now been rescheduled to 30 November – but Julian Robertson asked me yesterday about consultation; we had circulated a draft of the BoT paper to our counterparts in other states, and there is broad support – during an national teleconference of officials yesterday morning a few minor tweaks were suggested – so we will send up an updated version to reflect those. If there is any feedback from the Treasurer on the first version, we can incorporate that at the same time.

Best regards

Matthew.

Matthew Winefield

Director, Economics | Commercial and Economics Branch

State Administration Centre, Level 9, 200 Victoria Square ADELAIDE SA 5000

t (08) 842 93495 | e matthew.winefield@sa.gov.au | w treasury.sa.gov.au



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From: John, Jacinta (DTF)
Sent: Tuesday, 23 October 2018 9:00 AM
To: Winefield, Matthew (DTF) <Matthew.Winefield@sa.gov.au>
Subject: FW: A911204 - Better Use of Government Data

Hi Matthew
Please refer to the response from the Treasurer's Office.
Jacinta

From: DTF:Treasurer
Sent: Tuesday, 23 October 2018 8:54 AM
To: John, Jacinta (DTF) <Jacinta.John@sa.gov.au>
Subject: RE: A911204 - Better Use of Government Data

Good morning Jacinta,

Apologies for the delay, but TRS18D2029 - A911204 - Better Use of Government Data minute is currently with the Treasurer for review.

Is there a critical date for this file? If so we can see what we can do to have the matter escalated.

Thank you

Kate Tonkin

Correspondence Officer to the
Hon Rob Lucas MLC
Treasurer

Phone: 8226 1866
Department of Treasury & Finance
Level 8, 200 Victoria Square | ADELAIDE SA 5000



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From: John, Jacinta (DTF)
Sent: Monday, 22 October 2018 1:52 PM
To: DTF:Treasurer <treasurer.dtf@sa.gov.au>
Subject: FW: A911204 - Better Use of Government Data

Afternoon

I've been asked to chase up this minute that was emailed to the Treasurer on 15 October (reference above). Can you please provide its status.

Thanks, Jacinta
62178

From: Winefield, Matthew (DTF)
Sent: Monday, 22 October 2018 1:47 PM
To: John, Jacinta (DTF) <Jacinta.John@sa.gov.au>
Subject: FW: A911204 - Better Use of Government Data

From: DTF:Commercial & Economics
Sent: Monday, 15 October 2018 2:39 PM
To: DTF:Treasurer <treasurer.dtf@sa.gov.au>
Cc: Gay, Brad (DTF) <Brad.Gay@sa.gov.au>; Winefield, Matthew (DTF) <Matthew.Winefield@sa.gov.au>; Hosie, Tina (DTF) <Tina.Hosie@sa.gov.au>
Subject: FW: A911204 - Better Use of Government Data

Good afternoon
Please find attached a minute for the Treasurer's consideration.

With thanks, Jacinta

Jacinta John
Project Office Manager | Commercial & Economics | SA Schools PPP Project

State Administration Centre, Level 9, 200 Victoria Square ADELAIDE SA 5000
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