



File: T&F23/1003  
A3094330

8 September 2023

Hon John Gardner MP  
Member for Morialta  
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ROSTREVOR SA 5073

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

Dear Mr Gardner

**Freedom of Information – Joint Committee on the Establishment of Adelaide University**

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 9 August 2023.

Your application specifically requested:

*‘Any briefings or correspondence related to the Joint Committee on the Establishment of Adelaide University provided to any Executive Director or the Under Treasurer, and/or the Treasurer or his office.’*

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

A total of 2 documents were identified as answering the terms of your application and I have determined as follows:

- I refuse you access in full to 2 documents.

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

**Documents refused in full**

Documents 1 and 2

- contain information directly connected to the business of a Parliamentary Committee.

This information falls within the definition of the business of Parliament under the FOI Act and disclosure of this information would be considered an infringement of the privilege of Parliament. The information is therefore exempt from release pursuant to clause 17(c) of Schedule 1.

## Exemption

### 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—*

*(a) constitute contempt of court; or*

*(b) contravene any order or direction of a person or body having power to receive evidence on oath; or*

*(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), DTF is 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://www.dpc.sa.gov.au/resources-and-publications/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 accompanied by the application fee of \$40.75
- be addressed to the principal officer
- 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 contact Kate Tonkin on (08) 7133 8080 or email [freedomofinformation2@sa.gov.au](mailto:freedomofinformation2@sa.gov.au).

Yours sincerely



Tonia Roache  
**ACCREDITED FREEDOM OF INFORMATION OFFICER**

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

T&F23/1003 - HON JOHN GARDNER MP - "Any briefings or correspondence related to the Joint Committee on the Establishment of Adelaide University provided to any Executive Director or the Under Treasurer, and/or the Treasurer or his office." [Date Range: 06/07/2023 - 09/08/2023]

<b>Doc. No.</b>	<b>Date</b>	<b>Description of Document</b>	<b># of pages</b>	<b>Determination</b>	<b>Exemption Clause</b>
1	8/08/2023	Email - Invitation	1	Refused in full	17(c) - Disclosure would infringe the privilege of Parliament
2	8/08/2023	Attachment to Document 1 - Invitation Letter	1	Refused in full	17(c) - Disclosure would infringe the privilege of Parliament