



File: T&F18/0789
A971366

5 December 2018

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

State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 1045
Adelaide SA 5001
DX56205
Tel 08 8226 9500
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<http://www.treasury.sa.gov.au>
ABN 19 040 349 865

Sent via email: lee@parliament.sa.gov.au

Dear Mr Mullighan

Freedom of Information – Establishment of Productivity Commission

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Department of Treasury and Finance (DTF) on 8 November 2018.

Your application specifically requested:

'All Correspondence from the Department of Treasury and Finance to the Treasurer's office regarding the Establishment of the South Australian Productivity Commission. Date Range - 26/07/18 - 7/11/18'

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

A total of 5 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 1 document, a copy of which is enclosed
- I grant you access in part to 2 documents, copies of which are 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 full

Document 1

Documents released in part

Documents 3 – 4

These documents contains information which, if released, would disclose details concerning a deliberation or decision of Cabinet. I have therefore determined to exempt this information pursuant to clause 1(1)(e).

Documents refused in full

Documents 2 and 5

These documents are a draft and signed briefing paper specifically prepared for the use of the Minister in relation to a matter submitted to Cabinet. I have therefore exempted these documents pursuant to Clause 1(1)(f) of the FOI Act.

Exemptions

Clause 1 – Cabinet documents

(1) A document is an exempt document –

...

- (e) if it contains matter the disclosure of which would disclose information concerning any deliberation or decision of Cabinet; or
- (f) if it is a briefing paper specifically prepared for the use of a Minister in relation to a matter submitted, or proposed to be submitted to Cabinet

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 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 Natalie Haigh on (08) 8429 0839.

Yours sincerely



Matthew Hawkins
ACCREDITED FREEDOM OF INFORMATION OFFICER

Schedule of Documents

T&F18/0789 - Hon Stephen Mullighan MP - " All Correspondence from the Department of Treasury and Finance to the Treasurer's office regarding the Establishment of the South Australian Productivity Commission. Date Range - 26/07/18 - 7/11/18"

Doc. No.	Date	Description of Document	# of pages	Determination	Exemption Clause
1	6/08/2018	Email - 06082018 Productivity Commission_Minute to Treas	1	Released in full	
2	6/08/2018	Draft minute - Productivity Commission Establishment Options	3	Refused in full	1(1)(f) - Briefing prepared for Cabinet or Cabinet committee
3	10/08/2018	Email: FW: A907483 - Productivity Commission Establishment Options	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
4	6/08/2018	Email: RE: 06082018 Productivity Commission_Minute to Treas	1	Released in part	1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee
5	7/08/2018	Minute - Productivity Commission Establishment Options	3	Refused in full	1(1)(f) - Briefing prepared for Cabinet or Cabinet committee

Hocking, Stuart (DTF)

From: Gay, Brad (DTF)
Sent: Monday, 6 August 2018 3:51 PM
To: Hocking, Stuart (DTF)
Cc: Crotti, Simon (DTF)
Subject: 06082018 Productivity Commission_Minute to Treas (A907483)
Attachments: 06082018 Productivity Commission_Minute to Treas (A907483).docx

Stuart

See attached brief on the PC for the Treasurer for comments / edits / discussions as necessary

Regards, Brad

Hocking, Stuart (DTF)

From: Gay, Brad (DTF)
Sent: Friday, 10 August 2018 12:15 PM
To: De Gennaro, Gino (DTF)
Cc: Hocking, Stuart (DTF)
Subject: FW: A907483 - Productivity Commission Establishment Options
Attachments: A907483.pdf

Dear Gino

There was some delay in getting this minute over to your office from earlier this week.

Clause 1(1)(e)

See attached for information / if you need to draw to the Treasurer's attention sooner.

Regards, Brad

-----Original Message-----

From: DTF:Commercial & Economics
Sent: Friday, 10 August 2018 10:01 AM
To: DTF:Treasurer <treasurer.dtf@sa.gov.au>
Cc: Hosie, Tina (DTF) <Tina.Hosie@sa.gov.au>
Subject: A907483 - Productivity Commission Establishment Options

Hi,

Please find attached A907483 - Productivity Commission Establishment Options for the Treasurer to note.

Kind regards

Julia Stylianou
Business Support Officer | Commercial & Economics Branch Part-time Wed-Fri Wakefield House, Level 17, 30
Wakefield Street ADELAIDE SA 5000
p 8226 3553 | e julia.stylianou@sa.gov.au | w treasury.sa.gov.au

Hocking, Stuart (DTF)

From: Gay, Brad (DTF)
Sent: Monday, 6 August 2018 5:04 PM
To: Hocking, Stuart (DTF)
Cc: Crotti, Simon (DTF)
Subject: RE: 06082018 Productivity Commission_Minute to Treas (A907483)

Let me test that and add...**Clause 1(1)(e)** / will talk to DPC

Thx
brad

From: Hocking, Stuart (DTF)
Sent: Monday, 6 August 2018 5:01 PM
To: Gay, Brad (DTF) <Brad.Gay@sa.gov.au>
Cc: Crotti, Simon (DTF) <Simon.Crotti@sa.gov.au>
Subject: RE: 06082018 Productivity Commission_Minute to Treas (A907483)

Thanks Brad

Clause 1(1)(e)

S

From: Gay, Brad (DTF)
Sent: Monday, 6 August 2018 3:51 PM
To: Hocking, Stuart (DTF) <Stuart.Hocking@sa.gov.au>
Cc: Crotti, Simon (DTF) <Simon.Crotti@sa.gov.au>
Subject: 06082018 Productivity Commission_Minute to Treas (A907483)

Stuart
See attached brief on the PC for the Treasurer for comments / edits / discussions as necessary

Regards, Brad