



File: T&F19/0228
A1207284

28 August 2019

Hon. Stephen Mullighan
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
Fax 08 8226 3819
<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 Internal Review — Motor Accident Commission

I refer to your Freedom of Information application received by the Department of Treasury and Finance on 24 April 2019 and your Internal Review application received on 29 May 2019.

Your applications specifically requested:

“All minutes, briefings, documents, emails and correspondence regarding the Motor Accident Commission provided to the Treasurer or Treasurer's office [Date range: 1/10/2018 to 24/4/2019].”

Determination under review

DTF did not make a determination on your initial application within the 30-day time period required by the Freedom of Information Act 1991 (the Act). Accordingly, DTF was deemed to have refused access in full to all documents relevant to your application.

Outcome of internal review

Under section 29(3) of the FOI Act, on an application for internal review, as principal officer I may confirm, vary or reverse the determination under review. In doing so, I am required to give fresh consideration to the decision under the FOI Act.

I have determined to **vary** the original deemed refusal determination.

A total of 84 documents were identified as answering the terms of your application and I have determined as follows:

- I grant you access in full to 21 documents, copies of which are enclosed
- I grant you access in part to 21 documents, copies of which are enclosed, and
- I refuse you access to 42 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

Documents 7, 12, 14, 19, 22, 22a, 33–37, 43, 45, 49, 55–57, 59–61, 63

Documents released in part

Documents 1, 2, 3, 4, 5, 6, 7b, 8, 9

These documents are emails between DTF employees in relation to the drafting of a Cabinet Submission and its associated costing and Cabinet Office comments. These documents contain 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) of Schedule 1 to the FOI Act.

Documents 1, 3 and 9 also contain extracts from preliminary drafts of documents specifically prepared for submission to Cabinet and I have determined to exempt this information pursuant to clause 1(1)(c) of Schedule 1 to the FOI Act.

Sections of documents 3, 5 and 9 also contain legal advice provided to the government by its legal advisor, the Crown Solicitor, information which is subject to legal professional privilege. I have therefore determined to remove these sections pursuant to clause 10(1) of Schedule 1 to the FOI Act.

Document 62

This document contains information which, if released, would disclose details concerning a deliberation or decision of Cabinet, and I have determined to exempt this information pursuant to clause 1(1)(e) of Schedule 1 to the FOI Act. It also contains a section not relevant to your application, which has been removed.

Documents 17, 17a, 17b

These documents consist of information relating to the personal affairs of a third party. Under clause 6(1), a document is exempt if its disclosure would involve the 'unreasonable disclosure of information concerning the personal affairs of any person'. This information falls within the definition of personal affairs under the Act and is therefore exempt from release pursuant to clause 6(1) of Schedule 1 to the FOI Act.

Document 58, 64

Under clause 10(1) of Schedule 1 to the FOI Act, information is exempt from disclosure if it would be privileged from production on the ground of legal professional privilege. Sections of these documents contain information relating to legal advice provided to the government by its legal advisor which is subject to legal professional privilege. I have therefore determined to remove these sections pursuant to clause 10(1) of Schedule 1 to the FOI Act.

Documents 13, 26

These documents contain extracts from briefing notes prepared specifically for use in Parliament, the disclosure of which would infringe the privilege of Parliament. I have therefore determined to exempt the document in full pursuant to clause 17(c) of Schedule 1 to the FOI Act. Document 26 also contains sections not relevant to your application, which have been removed.

Documents 24, 25, 28, 39

These documents contain sections not relevant to your application, which have been removed.

Documents refused in full

Documents 1b, 2a, 4a, 4b, 4c, 5a, 6a, 7a, 8a

These documents are preliminary drafts of documents specifically prepared for submission to Cabinet. I have therefore determined to refuse access to these documents pursuant to clause 1(1)(b) of Schedule 1 to the FOI Act.

Documents 10, 11, 15, 16

These documents contain extracts from documents which were specifically prepared for submission to Cabinet and are therefore exempt pursuant to clause 1(1)(c) of Schedule 1 to the FOI Act. Documents 10 and 11 also contain 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) of Schedule 1 of the FOI Act.

Documents 10 and 11 also contain legal advice provided to the government by its legal advisor which is subject to legal professional privilege. I have therefore determined to remove this information pursuant to clause 10(1) of Schedule 1 of the FOI Act.

Documents 18, 21, 23, 42

These documents contain 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). Document 23 also consists of a briefing paper specifically prepared for the use of the Minister in relation to a matter submitted to Cabinet. I have therefore exempted the document pursuant to clause 1(1)(f) of the FOI Act.

Document 42 contains legal advice provided to the government by its legal advisors, which is subject to legal professional privilege. I have therefore determined to remove this information pursuant to clause 10(1) of Schedule 1 of the FOI Act.

Documents 18 and 21 are minutes to the Treasurer providing information in relation to reallocation of road safety functions. Having regard to the content of the communication, it is my view that the documents contain matter that relates to advice and recommendation obtained and consultation that has taken place in the course of the Treasurer's decision-making.

In applying the public interest test, I have considered the objects of the FOI Act that favour release. I acknowledge that there is a strong public interest around the openness and transparency of the Treasurer's decision-making. In my view, however, this is outweighed by the need to ensure that public servants are able to provide advice and recommendation, and to consult without inhibiting frankness and candour. Disclosure of these documents would hinder free communication and would, in turn, impede the government's deliberative process. I have therefore determined to exempt these documents pursuant to clauses 9(1)(a)(i) and 9(1)(a)(ii) of Schedule 1 of the FOI Act.

Document 12a

This document consists of speaking notes specifically prepared for the use of the Treasurer in relation to a matter submitted to Cabinet. I have therefore exempted the document pursuant to clause 1(1)(f) of Schedule 1 of the FOI Act.

Documents 48 and 51

These documents contain information that, if released, would disclose details concerning a deliberation or decision of Cabinet. I have therefore exempted these documents pursuant to clause 1(1)(e).

The documents also contain information about an unsolicited proposal from a third party. Release of information provided by third parties in such proposals might provide an unfair advantage to their competitors. It is reasonable to expect this may prejudice the future supply of unsolicited proposals, resulting in government forgoing business opportunities with terms that are advantageous to the government and the public. In my view, this may provide an unfair advantage to a class of persons and prejudice the provision of attractive unsolicited proposals and would be contrary to the public interest, therefore I have exempted this information pursuant to clause 7(1)(c).

These documents also contain opinion, advice and recommendations relating to consideration of the unsolicited proposal. I acknowledge that there is a strong public interest around the openness and transparency of the government's decision-making. In my view, however, this is outweighed by the need to ensure that public servants are able to provide opinion, advice and recommendation without inhibiting frankness and candour. Disclosure of these documents would hinder free communication and would thereby impede the government's deliberative process. I have therefore determined to exempt this information pursuant to clause 9(1)(a)(i) of Schedule 1 of the FOI Act.

These documents also contain information now part of confidential contracts, therefore I have determined that this information is exempt pursuant to clause 13(1)(a) of Schedule 1 of the FOI Act.

Documents 20, 20a, 21a, 21b, 21c

These documents are draft documents for the Treasurer's consideration regarding the reallocation of Motor Accident Commission (MAC) responsibilities to other departments. Having regard to the content of the documents, it is my view that the documents contain matter that relates to opinion, advice and recommendation prepared, and consultation that has taken place in the course of the decision-making of the Treasurer.

I acknowledge that there is a strong public interest around the Treasurer's decision-making. In my view, however, this is outweighed by the need to ensure that opinion, advice, recommendation and consultation can all occur without inhibiting frankness and candour. Disclosure of these documents would hinder free communication and would thereby impede the government's deliberative process. I have therefore exempted these documents pursuant to clauses 9(1)(a)(i) and 9(1)(a)(ii) of Schedule 1 of the FOI Act.

Documents 30, 31, 32, 38, 40, 41

Documents 30, 31 and 32 relate to consultation about the CTP insurer contract documents.

Document 38 is a minute to the Treasurer providing advice and opinion about the management of the MAC back book retained premium.

Documents 40 and 41 are copies of ostensibly the one minute (with differences in terms of signatures) that provide opinion, advice and recommendation to the Treasurer in relation to an unsolicited proposal.

In consideration of clause 9 of the Act, I consider that these documents contain matter that constitutes opinion, advice and recommendations in the course of, or for the purpose of, decision-making functions of the Treasurer. Again, I acknowledge that there is a strong public interest around the decision making of the Treasurer. In my view, however, this is outweighed by the need to ensure that public servants are able to provide opinion, advice and recommendations without inhibiting frankness and candour. Disclosure of these documents would hinder free communication and would thereby impede the government's deliberative process. I have therefore exempted these documents pursuant to clause 9(1)(a)(i) of Schedule 1 of the FOI Act.

Documents 40 and 41 also contain legal advice provided to the government by its legal advisors that is subject to legal professional privilege. I have therefore determined to exempt this information pursuant to clause 10(1).

Documents 40 and 41 also contain information which if disclosed would found an action for breach of confidence by disclosing confidential information. I have therefore determined to exempt this information pursuant to clause 13(1)(a).

Documents 1a, 46, 47, 50, 52, 53

These documents consist of legal advice provided to the government by its legal advisors, information which is subject to legal professional privilege. I have therefore determined to exempt these documents pursuant to clause 10(1) of Schedule 1 of the FOI Act.

Document 44, 54

Document 44 is an operational deed that, if released, would found an action for breach of confidence. The Treasurer has approved the confidentiality provisions of the deed in accordance with clause 13(2) of Schedule 1 of the FOI Act. Document 54 also relates to the Operational Deed.

These documents consist of information which if disclosed would found an action for breach of confidence. I have therefore determined to exempt these documents pursuant to clause 13(1)(a) of Schedule 1 of the FOI Act.

Documents 13a, 27, 29

Under clause 17 of Schedule 1 to the Act, information is exempt from disclosure if it would infringe the privilege of Parliament. Documents 13a, 27 and 29 are Parliamentary Briefing Notes and are protected by Parliamentary privilege. I have therefore determined to exempt these documents pursuant to clause 17(c) of Schedule 1 of the FOI Act.

Exemptions

Clause 1 – Cabinet documents

(1) *A document is an exempt document –*

...

- (b) if it is a preliminary draft of a document referred to in paragraph (1); or
- (c) if it is a document that is a copy of or part of, or contains an extract from, a document referred to in paragraph (a) or (b); or
- (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.

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.

Clause 9 – Internal working documents

- (1) A document is an exempt document if it contains matter—
 - (a) that relates to—
 - (i) any opinion, advice or recommendation that has been obtained, prepared or recorded; or
 - (ii) any consultation or deliberation that has taken place, in the course of, or for the purpose of, the decision-making functions of the Government, a Minister or an agency; and
 - (b) the disclosure of which would, on balance, be contrary to the public interest.

Clause 10 – Legal Professional Privilege

- (1) A document is an exempt document if it contains matter that would be privileged from production in legal proceedings on the ground of legal professional privilege.

Clause 13 – Documents containing confidential material

(1) A document is an exempt document –

(a) if it contains matter the disclosure of which would found an action for breach of confidence;...

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

External review

If you remain dissatisfied with this determination, you have the right to apply to the Ombudsman for external review under section 39 of the FOI Act. You have 30 days from the date on which you receive this letter to apply for an external review. If you have any questions about an application to the Ombudsman, please contact the office on (08) 8226 8699.

Yours sincerely



David Reynolds
PRINCIPAL FREEDOM OF INFORMATION OFFICER

Schedule of Documents

T&F19/0228 - Stephen Mullighan MP - " All minutes, briefings, minutes, documents, emails and correspondence regarding the Motor Accident Commission provided to the Treasurer or Treasurer's office. [Date Range: 1/10/2018 to 24/04/2019]"

| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|----------|------------------------|---|------------|------------------|---|
| 1 | 10/10/2018 4.12 pm | Email | 1 | Released in part | 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 1a | 27/09/2018 | Crown advice - attached to Document 1 | 10 | Refused in full | 10(1) - Subject to legal professional privilege |
| 1b | Oct 2018 | Draft Cabinet Submission - attached to Document 1 | 7 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 2 | 11/10/2018 3.21 pm | Email (captured in document 4) | 1 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 2a | undated | Draft Cabinet Form Authority - attached to Document 2 | 1 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 3 | 12/10/2018 12.47 pm | Email | 4 | Released in part | 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 4 | 12/10/2018 11.14 am | Email | 2 | Released in part | 10(1) - Subject to legal professional privilege 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 4a | Oct 2018 | Draft Cabinet Submission - attached to Document 4 | 7 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 4b | 11/10/2018 | Draft Costing Comment - attached to Document 4 | 2 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 4c | undated | Draft Cabinet Form Authority - attached to Document 4 | 1 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 5 | 12/10/2018 10.35 am | Email (captured in Document 3) | 3 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 10(1) - Subject to legal professional privilege |
| 5a | 11/10/2018 | Draft Costing Comment - attached to Document 5 (duplicate of document 4b) | 2 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 6 | 12/10/2018 10.22 am | Email (captured in Document 3) | 2 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 6a | Oct 2018 | Draft Cabinet Submission - attached to Document 6 | 7 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |

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|----------|------------------------|---|------------|------------------|--|
| 7 | 12/10/2018 6.05 pm | Email | 1 | Released in full | |
| 7a | 12/10/2018 | Draft Cabinet Office Comment - attached to Document 7 | 1 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 7b | 12/10/2018 5.10 pm | Email - attached to Document 7 (captured in Document 8) | 3 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 8 | 15/10/18 10.05 am | Email | 3 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 8a | 15/10/2018 | Draft Cabinet Office Comment - attached to Document 8 | 1 | Refused in full | 1(1)(b) - Draft of document prepared for Cabinet or Cabinet committee |
| 9 | 16/10/2018 2.49 pm | Email - MAC cabinet submission | 7 | Released in part | 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee |
| 10 | 18/10/2018 11.35 am | Email | 7 | Refused in full | 10(1) - Subject to legal professional privilege 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee |
| 11 | 18/10/2018 8.55 am | Email | 6 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 10(1) - Subject to legal professional privilege 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee |
| 12 | 19/10/2018 5.14 pm | Email | 1 | Released in full | |
| 12a | undated | Cabinet speaking notes - attached to document 12 | 2 | Refused in full | 1(1)(f) - Briefing prepared for use of Minister regarding matter submitted to Cabinet |
| 13 | 23/10/2018 1.06 pm | Email | 3 | Released in part | 17(c) - Disclosure would infringe the privilege of Parliament |
| 13a | undated | Parliamentary Briefing Note - attached to Document 13 | 4 | Refused in full | 17(c) - Disclosure would infringe the privilege of Parliament |
| 14 | 23/10/2018 9.34 am | Email | 3 | Released in full | |

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| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|-----------------|----------------------|--|-------------------|----------------------|---|
| 15 | 21/11/2018 | Extract from 2018-19 Mid-Year Budget Review - Cabinet Submission | 2 | Refused in full | 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee |
| 16 | Dec 2018 | Quarterly Financial Monitoring | 4 | Refused in full | 1(1)(c) - Copy, part or extract of document prepared for Cabinet or Cabinet committee |
| 17 | 7/12/2018 8.33 am | Email | 1 | Released in part | 6(1) - Unreasonable disclosure of personal affairs |
| 17a | 16/12/2018 | Minute - attached to Document 17 | 1 | Released in part | 6(1) - Unreasonable disclosure of personal affairs |
| 17b | 16/12/2018 | Letter | 1 | Released in part | 6(1) - Unreasonable disclosure of personal affairs |
| 18 | 19/12/2018 | Minute | 7 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 19 | 7/02/2019 2.59 pm | Email | 1 | Released in full | |
| 20 | 17/02/2019 | Minute | 4 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 20a | Feb 2019 | Draft Minute - attached to Document 20 | 2 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest |

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| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|----------|------------------------|--|------------|------------------|---|
| 21 | 12/04/2019 | Minute | 9 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 21a | April 2019 | Draft Minute - attached to Document 21 | 2 | Refused in full | 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 21b | undated | Attachment A - attached to Document 21 | 1 | Refused in full | 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 21c | undated | Motor Accident Commission transfer of functions to SAPOL (Draft) - attached to Document 21 | 9 | Refused in full | 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 22 | 17/04/2019 12.01 pm | Email | 1 | Released in full | 9(1)(a)(ii) - Contains matter relating to consultation or deliberation for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 22a | undated | Road Safety Functions - attached to Document 22 | 1 | Released in full | |

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| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|----------|------------------------|---|------------|------------------|---|
| 23 | 5/03/2019 | Bilateral brief | 1 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 1(1)(f) - Briefing prepared for use of Minister regarding matter submitted to Cabinet |
| 24 | 8/10/2018 | Agenda | 1 | Released in part | Sections not relevant |
| 25 | 17/10/2018 | Agenda | 1 | Released in part | Sections not relevant |
| 26 | 7/11/2018 4.43 pm | Email | 2 | Released in part | 17(c) - Disclosure would infringe the privilege of Parliament |
| 27 | 1/11/2018 | Parliamentary Briefing Note - attached to Document 26 | 1 | Refused in full | Sections not relevant |
| 28 | 8/11/2018 2.50 pm | Email | 4 | Released in part | Sections not relevant |
| 29 | 1/11/2018 | Parliamentary Briefing Note - attached to Document 28 | 1 | Refused in full | 17(c) - Disclosure would infringe the privilege of Parliament |
| 30 | undated | Draft Deed | 66 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 31 | undated | Draft Deed | 89 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 32 | undated | Table | 26 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 33 | 31/12/2018 12.23 pm | Email | 1 | Released in full | |
| 34 | 31/12/2018 | Minute - attached to Document 33 | 3 | Released in full | |
| 35 | 14/12/2018 | Letter - attached to Document 33 | 2 | Released in full | |
| 36 | undated | Draft Letter - attached to Document 33 | 2 | Released in full | |
| 37 | 7/03/2019 9.21 am | Email | 1 | Released in full | |

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| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|----------|------------|--|------------|------------------|---|
| 38 | 6/03/2019 | Minute - attached to Document 37 | 12 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest |
| 39 | 27/03/2019 | Agenda | 1 | Released in part | Sections not relevant |
| 40 | 6/12/2018 | Minute | 3 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 10(1) - Subject to legal professional privilege 13(1)(a) - Disclosure would found an action for breach of confidence |
| 41 | 6/12/2018 | Minute | 3 | Refused in full | 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 10(1) - Subject to legal professional privilege 13(1)(a) - Disclosure would found an action for breach of confidence |
| 42 | 6/12/2018 | Attachment A to Minute - Instrument of Approval - attached to Document 41 | 3 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 10(1) - Subject to legal professional privilege |
| 43 | 7/12/2018 | Annexure 1 to Minute - Deed of Reinsurance and Agency - attached to Document 42 | 36 | Released in full | |
| 44 | | Annexure 1 to Minute - Operational Deed - attached to Document 42 | 45 | Refused in full | 13(1)(a) - Disclosure would found an action for breach of confidence |
| 45 | 7/12/2018 | Annexure 1 to Minute - Transitional Services Agreement - attached to Document 42 | 8 | Released in full | |
| 46 | 6/12/2018 | Annexure 2 to Minute - Letter from CSO - attached to Document 42 | 1 | Refused in full | 10(1) - Subject to legal professional privilege |
| 47 | 6/12/2018 | Annexure 2 to Minute - Letter from Thomson Geer - attached to Document 42 | 1 | Refused in full | 10(1) - Subject to legal professional privilege |

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| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|----------|------------|--|------------|------------------|--|
| 48 | 30/11/2018 | Annexure 3 to Minute - Board Minutes - attached to Document 42 | 4 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 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 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 13(1)(a) - Disclosure would found an action for breach of confidence |
| 49 | 6/12/2018 | Attachment B to Minute - MV Notice 2018 - attached to Document 41 | 3 | Released in full | |
| 50 | 4/12/2018 | Attachment C to Minute - Lawyer letter - attached to Document 41 | 3 | Refused in full | 10(1) - Subject to legal professional privilege |
| 51 | 30/11/2018 | Annexure D to Minute - Board Minutes - attached to Document 41 | 4 | Refused in full | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee 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 9(1)(a)(i) - Contains matter relating to opinion, advice or recommendation prepared for decision-making of the Government, a Minister or an agency & contrary to public interest 13(1)(a) - Disclosure would found an action for breach of confidence |
| 52 | 6/12/2018 | Attachment E to Minute - Letter from CSO - attached to Document 41 | 2 | Refused in full | 10(1) - Subject to legal professional privilege |
| 53 | 6/12/2018 | Attachment E to Minute - Letter from Thomson Geer - attached to Document 41 | 2 | Refused in full | 10(1) - Subject to legal professional privilege |
| 54 | 7/12/2018 | Attachment F to Minute - Letter from Insurance company - attached to Document 41 | 2 | Refused in full | 13(1)(a) - Disclosure would found an action for breach of confidence |
| 55 | 19/12/2018 | Minute | 3 | Released in full | |
| 56 | 12/12/2018 | Letter - attached to Document 55 | | Released in full | |

Schedule of Documents

| Doc. No. | Date | Description of Document | # of pages | Determination | Exemption Clause |
|-----------------|------------------------|----------------------------------|-------------------|----------------------|---|
| 57 | 19/12/2018 | Letter - attached to Document 55 | 2 | Released in full | |
| 58 | 2/02/2019 | Minute | 2 | Released in part | 10(1) - Subject to legal professional privilege |
| 59 | 16/04/2019 | Minute | 2 | Released in full | |
| 60 | 8/04/2019 | Letter | 1 | Released in full | |
| 61 | 27/04/2019 | Letter | 1 | Released in full | |
| 62 | 22/11/2018 12.40 pm | Email | 1 | Released in part | 1(1)(e) - Contains information concerning deliberation or decision of Cabinet or Cabinet committee Sections not relevant |
| 63 | 7/12/2018 1.27 pm | Email | 1 | Released in full | |
| 64 | 1/03/2019 5.17 pm | Email | 1 | Released in part | 10(1) - Subject to legal professional privilege |