



**Government
of South Australia**

TRS18D2576

Treasurer

Level 8
State Administration Centre
200 Victoria Square
Adelaide SA 5000
GPO Box 2264
Adelaide SA 5001
DX 56203 Victoria Square
Tel 08 8226 1866
treasurer.dtf@sa.gov.au

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

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 12 December, 2018.

Your application seeks access to:

"All minutes, briefings, notes, documents, emails and correspondence held by the Treasurer, the Hon Rob Lucas and Treasurer's office in relation to the South Australian Productivity Commission between 26 July and 12 December 2018."

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

I grant you access to 1 document; a copy which is enclosed.
I refuse you access to 8 documents.

Documents refused in full

Documents 2, 3 and 4 are submissions prepared for the consideration of Cabinet.

I therefore determine this information exempt, pursuant to clause 1(1)(a) to the FOI Act.

Document 5 is a briefing which was prepared for my use and which was a matter submitted to Cabinet for consideration.

I therefore determine this information exempt, pursuant to clause 1(1)(f) to the FOI Act.

Documents 6, 7 and 9 are copies of Hansard extracts, dated 2 August, 31 July and 20 June 2018, relating to the debate in both Houses of Parliament, on the South Australian Productivity Commission Bill 2018. These extracts are publicly available on the SA Parliament website.

Document 8 is a copy of an amendment which was to be moved by the Hon Frank Pangallo MLC to the South Australian Productivity Commission Bill 2018. This is publicly available on the SA Parliament website.

Exemptions

Clause 1 – Cabinet Documents

- (1) a document is an exempt document—*
 - (a) if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted).*
 - (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), 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: <http://dpc.sa.gov.au/what-we-do/services-for-government/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 (08) 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

22 January 2019

Schedule of Documents

TRS18D2576

Doc. No.	Date	Description of Document	# of pages	Determination Recommendation	Exemption Clause	Reason
1	5/12/2018	Letter from the Treasurer to Hon Stephen Mullighan MP - FOI request - Inquiries of the South Australian Productivity Commission	2	Released in full		
	7/11/2018	Attachment to 1. - FOI Application from Hon Stephen Mullighan MP	3	Released in full		
2		Cabinet submission		Refused in full	1(1)(a) - Prepared for Cabinet or Cabinet committee	
3		Cabinet submission		Refused in full	1(1)(a) - Prepared for Cabinet or Cabinet committee	
4		Cabinet submission		Refused in full	1(1)(a) - Prepared for Cabinet or Cabinet committee	
5	11/08/2018	Email from Chief of Staff to the Treasurer with attached briefing	5	Refused in full	1(1)(f) - Briefing prepared for use of Minister regarding matter submitted to Cabinet	
6	2/08/2018	Hansard extract - South Australian Productivity Commission Bill (final stages)	22	Refused in full		Publicly available on SA Parliament website
7	31/07/2018	Hansard extract - South Australian Productivity Commission Bill (Committee Stage)	40	Refused in full		Publicly available on SA Parliament website
8	26/07/2018	Amendment Filed - to be moved by the Hon Frank Pangallo MLC to the South Australian Productivity Commission Bill	1	Refused in full		Publicly available on SA Parliament website
9	9/01/1900	Hansard extract - South Australian Productivity Commission Bill (Introduction)	4	Refused in full		Publicly available on SA Parliament website



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Tel 08 8226 1866
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Stephen
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 7 November, 2018.

Your application seeks access to:

"All minutes, memos, documents, briefings and emails held by the Treasurer or Treasurer's Office relating to inquiries of the South Australian Productivity Commission between 26 July and 7 November 2018."

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. One document was identified as answering the terms of your application.

I refuse access in full to this document, as this was a submission prepared for the consideration of Cabinet. I therefore determine this information exempt, pursuant to clause 1(1)(a) to the FOI Act.

Exemptions

Clause 1 – Cabinet Documents

(1) a document is an exempt document—

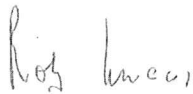
(a) if it is a document that has been specifically prepared for submission to Cabinet (whether or not it has been so submitted).

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.

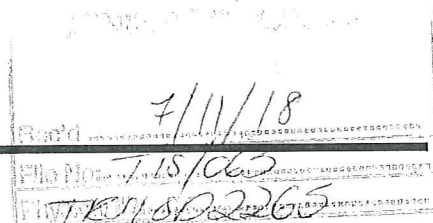
If you require any further information, please contact Vicky Cathro on (08) 8226 9769.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Rob Lucas'.

Hon Rob Lucas MLC
Principal Officer

5 December 2018

DTF:Treasurer

From: no-reply@forms.sa.gov.au
Sent: Wednesday, 7 November 2018 4:41 PM
To: DTF:Treasurer
Subject: Application under Freedom of Information Act 1991 - FOI Application Receipt Number 7159746

SA.GOV.AU**Government of
South Australia**

An application for Freedom of Information has been submitted by Stephen Mullighan and the receipt number is 7159746

Start	
Request details	
This is an application to:	Access documents
Do you know which agency holds the documents?	Yes
Name of agency	Office of the Treasurer - Hon Rob Lucas MLC
Is this application to access or amend	Neither of the above
Document details	
Describe the documents you wish to access.	All minutes, memos, documents, briefings and emails held by the Treasurer or Treasurer's office relating to inquiries of the South Australian Productivity Commission.
'From' date	26/07/2018
'To' date	7/11/2018
Relevant document reference numbers (if known)	
How would you like to access the documents?	I want a copy
Applicant details	
Given name	Stephen
Family name	Mullighan
Organisation	Member for Lee
Residential address	My address is not listed - Allow me to supply my own.
Unit number	level 1
Unit number	level 1

Street number	62
Street number	62
Street name	Semaphore
Street name	Semaphore
Street type	Road
Street type	Road
Suburb	Semaphore
Suburb	Semaphore
State	SA
State	SA
Postcode	5019
Postcode	5019
My postal address is different	
Preferred phone	84494288
Alternative phone	84494288
Email	lee@parliament.sa.gov.au
Re-enter your email address	lee@parliament.sa.gov.au
Proof of Identity	
Acceptable proof of identity includes a scanned copy or photograph of your driver's licence, Medicare card, Centrelink card or passport.	
Fees	
Today's date	7/11/2018
Application cost	
Based on the information provided the fee for this application is	\$0.00
Do you require a fee waiver?	Yes
Reason for fee waiver	Member of Parliament
Review	
I declare that all the information I have provided is true and correct, and I have read and understood the Outline of Responsibilities (see link at the bottom of this page).	checked
I am aware that no fee is attached and if I do not qualify for a waiver, then this application will not be valid until the fee has been received by the agency.	checked