



**Government
of South Australia**

A2748462

Hon. David Speirs MP
Parliament House
GPO Box 572
ADELAIDE SA 5001

**Office of the
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

leaderoftheopposition@parliament.sa.gov.au

Dear Mr Speirs

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the Act), dated 20 January 2023.

Your application seeks access to:

"Please provide all records and documents, including but not limited to emails, text messages, diary entries, and any other forms of correspondence, that pertain to CELSUS. Between 21 March 2022 to 20 January 2023."

An extensive search was conducted within this office, with a total of 4 documents found that fall within scope of your application.

I grant you access in part to 3 documents; copies of which are enclosed.
I refuse you access in full to 1 document.

Released in Part

I have granted partial access to documents 1, 2 and 4 under clause (7)(1)(c) of Schedule 1 of the Act.

Clause 7 – Documents affecting business affairs

- (1) A document is an exempt document—
 - (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.*

Documents 1, 2 and 4 contain information concerning the business and professional affairs of any other person. External businesses would expect a level of confidentiality regarding names of employees when meeting with the State Government. Disclosure of representative details without authorisation would diminish any future business opportunities the government may have with third parties. The name of the business remains within business meeting entries, however, the names of employees, when not a public figure are exempt. I have therefore determined to exempt this information pursuant to clause 7 of Schedule 1 of the Act.

Refused in Full

I have refused access to document 3 under clause (7)(1)(c) of Schedule 1 of the Act.

Clause 7 – Documents affecting business affairs

- (2) *A document is an exempt document—*
 - (b) *if it contains matter—*
 - (iii) *consisting of information (other than trade secrets) that has a commercial value to any agency or any other person; and*
 - (iv) *the disclosure of which—*
 - (C) *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*
 - (D) *would, on balance, be contrary to the public interest; or*
 - (c) *if it contains matter—*
 - (iii) *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*
 - (iv) *the disclosure of which—*
 - (C) *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*
 - (D) *would, on balance, be contrary to the public interest.*

Document 3 contains advice concerning the business and professional affairs of any other person. The disclosure of information concerning the operational matters of private entities would diminish any future business opportunities the government may have with third parties. I, therefore, determine this exempt pursuant to clause 7 of the Act.

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 (DTF) is now required to publish a log of all non-personal information released under the Act.

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.

If you are unhappy with this determination you are entitled to apply for an internal review in accordance with section 29 of the FOI Act. To make an internal review application, please either write a letter or send Application for Review of Determination form to the Principal Officer, the Treasurer, Hon. Stephen Mullighan MP, within 30 (calendar) days after you receive this letter.

If you have any queries regarding this matter, please contact the Office of the Treasurer on (08) 8226 1866.

Yours sincerely



Elicea Tomlinson
Accredited FOI Officer
Office of the Treasurer

18 April 2023

From: [Atkinson, John \(DTF\)](#)
To: [Colegate, Rachael \(DTF\)](#)
Subject: FW: Meeting Request - Celsus
Date: Monday, 4 July 2022 12:23:34 PM
Attachments: [image001.png](#)

From: 7(1)(c) Business affairs
Sent: Monday, 27 June 2022 8:51 AM
To: Atkinson, John (DTF) <john.atkinson@sa.gov.au>
Subject: RE: Meeting Request - Celsus

Morning John –
Hope the weekend was good!
Just looping back on below and seeing if there's anytime that can be locked in.
And let's grab a coffee sometime this week/next week if you have time. Am trying to lay off the wines.
Cheers

7(1)(c) Business affairs

Partner
Principle Advisory
P: 7(1)(c)
E: 7(1)(c) Business affairs



From: 7(1)(c)
Sent: Friday, 3 June 2022 9:39 AM
To: john.atkinson@sa.gov.au
Subject: Meeting Request - Celsus

Hi John -
Congratulations on an excellent budget.
Am writing on behalf of Celsus (the consortium that manages and maintains the RAH's PPP) to request a meeting with the Treasurer.
Purpose being to update on financial matters and other issues relating to the PPP etc.
Meeting will be with Chair 7(1)(c) and CEO 7(1)(c).
7(1) and 7(1) have briefed Minister Picton and Minister Koutsantonis since the election.
Don't hesitate to call for anything further.

Cheers

7(1)(c)
Busi

Partner
Principle Advisory
P: 7(1)(c)
E: 7(1)(c) Business affairs



From: [Colegate, Rachael \(DTF\)](#)
To: **7(1)(c) Business affairs**
Subject: Meeting confirmation
Date: Thursday, 7 July 2022 9:54:00 AM
Attachments: [image001.gif](#)
[image002.jpg](#)
Importance: High

Good morning **7(1)**

As discussed, the Hon. Stephen Mullighan will meet with **7(1)** and **7(1)** from Celsus along with yourself on Tuesday, 23 August 2022 at 3:30pm until 4:00pm in the Treasurer’s Boardroom, SAC, Level 8, 200 Victoria Square, Adelaide.

The Treasurer will be accompanied by his Senior Adviser, Mr Matthew Leyson.

Should you require anything further please don’t hesitate to contact me.

Kind regards

Rachael Colegate

Executive Assistant

to the Hon. Stephen Mullighan MP

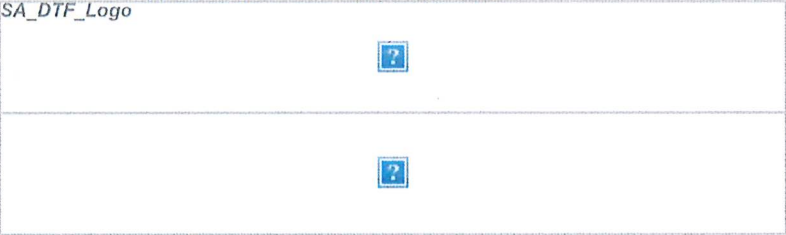
Treasurer of South Australia

Level 8, 200 Victoria Square | ADELAIDE SA 5000

T 08 8226 1813 e rachael.colegate@sa.gov.au

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SA_DTF_Logo



From: [Tomlinson, Elicea \(DTF\)](#)
To: [Leyson, Matthew \(DTF\)](#); [Davies, Shaun \(DTF\)](#); [Persse, Rick \(DTF\)](#); Mullighan, Stephen (DTF)
Cc: Lee EO <Lee@parliament.sa.gov.au>
Subject: 3:30pm - 4:00pm - Meeting with 7(1)(c) Chair and 7(1)(c) CEO - Celsus with 7(1)(c) Partner
Principle Advisory

4/7 – approved by SM

6/7 – RC spoke to 7(1)(c) – Principle Advisory 7(1)(c)

7/7 – 7(1) called back and mtg confirmed along with confirmation email sent to 7(1)(c) Business
affairs

Adviser: Matthew

Briefing: requested from Shaun 7/7 due 19/8