



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2022-176

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	48
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI Request | Government Procurement Board Meeting Details
Date: Wednesday, 8 June 2022 3:50:17 PM

Good Afternoon,

RE: FOI REQUEST – GOVERNMENT PROCUREMENT BOARD MEETING DETAILS

I write to request under the *Freedom of Information Act 2016* a copy of any meeting agendas and minutes of any Government Procurement Board meetings where [REDACTED] and/or [REDACTED] companies known as [REDACTED] and/or [REDACTED] and/or [REDACTED] procurements were considered. I would also like to request related correspondence between Government Procurement Board and CIT, including but not limited to submissions and accompanying papers.

I ask that my request be transferred to other entities that may hold relevant information. Duplicate documents may be excluded.

Should you require any further information or clarification about my request, please contact my office on [REDACTED]

Best,





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Our ref: CMTEDDFOI 2022-176



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 8 June 2022.

Specifically, you are seeking: “... a copy of any meeting agendas and minutes of any Government Procurement Board meetings where [redacted] and/or [redacted] companies known as [redacted] /or

[redacted] ” and/or

[redacted] procurements were considered. I would also like to request related correspondence between Government Procurement Board and CIT, including but not limited to submissions and accompanying papers.”

Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 7 July 2022 however, following an extension and third-party consultations, the due date is now 18 August 2022.

Third Party Consultation

In making this decision, I completed consultation with relevant third parties in accordance with section 38 of the Act. The views of the third parties were taken into account in making this decision.

Decision on access

Searches were completed for relevant documents and 55 documents were identified that fall within the scope of your request.

I have decided to refuse access to all documents as I consider them to be:

- contrary to the public interest information under schedule 1

My access decisions are detailed further in the following statement of reasons in accordance with section 54(2) of the Act.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request; and
- the views of third parties consulted.

Exemption claimed

My reasons for deciding not to grant access to the identified documents are as follows:

Contrary to the public interest information under schedule 1 of the Act

All the identified documents are entirely composed of, or contain, information that is considered to be contrary to the public interest under schedule 1 of the Act.

1) Information the disclosure of which would, or could reasonably be expected to—

(a) prejudice the investigation of a contravention or possible contravention of the law in a particular case.

(e) prejudice a person's fair trial or the impartial adjudication of a matter before a court or tribunal.

It is publicly known that the Integrity Commission is investigating the circumstances surrounding the awarding of consultancy contracts by the Canberra Institute of Technology. The Integrity Commission was consulted as a third party under section 38 of the Act, as information in scope of your request was considered to be of concern to them. The Integrity Commission had submitted that these documents could reasonably be expected to prejudice an investigation or prejudice impartial adjudication of a matter, and I am in agreement with this consideration.

Charges

Processing charges are not applicable for this request because no pages are being released to you.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application and my decision in response to your access application will be published on the CMTEDD disclosure log after 3 days after the date of my decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day of my decision, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate

16 August 2022