



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Disclosure Log Publication Coversheet

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

Application Details	
Ref. No.	CMTEDDFOI 2024-347
Date of Application	29 October 2024
Date of Decision	19 December 2024
Processing time (in working days)	37
Fees	N/A
Decision on Access	Partial Release
<b>Information Requested (summary)</b>	Details of storage fees paid for non-standard numberplate.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

**From:** [no-reply@act.gov.au](mailto:no-reply@act.gov.au)  
**To:** [CMTEDD FOI](#)  
**Subject:** CMTEDDFOI 2024-347 - Freedom of Information request  
**Date:** Tuesday, 29 October 2024 6:59:45 PM

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**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

### Your details

**All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.**

Title:  
First Name:  
Last Name:  
Business/Organisation:  
Address:  
Suburb:  
Postcode:  
State/Territory:  
Phone/mobile:  
Email address:

A large grey rectangular area redacting the user's personal details in the form.

### Request for information

**(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)**

Under the Freedom of Information Act 2016 I want to access the following document/s (\*required field):

Details of storage fees paid for non-standard numberplate "68500" since registration expired on 14/12/2021. I am seeking to confirm that storage fees have been paid in accordance with Road Transport (Vehicle Registration) Terms and Conditions for the Sale of Rights To, and Storage of, Non-Standard Numberplates Determination 2023 (No 1).

I do not want to access the following documents in relation to my request::

Any personal information relating to the current holder of non-standard numberplate "68500"

Thank you.  
Freedom of Information Coordinator



## **FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION**

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 29 October 2024.

Specifically, you have sought access to the following information:

*“Details of storage fees paid for non-standard numberplate “68500” since registration expired on 14/12/2021. I am seeking to confirm that storage fees have been paid in accordance with Road Transport (Vehicle Registration) Terms and Conditions for the Sale of Rights To, and Storage of, Non-Standard Numberplates Determination 2023 (No 1).”*

### **Authority**

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days.

As this matter required third party consultation, the decision due date was extended by 15 working days, in accordance with section 40(2) of the Act.

Therefore, a decision is due by **8 January 2025**.

### **Decision on access**

Searches of CMTEDD records have identified one document within the scope of your request.

I have decided to grant **partial access** to this document.

### **Release of documents**

The information being released to you is provided at **Attachment A**.

### **Statement of Reasons**

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request
- third party views

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

### **Public Interest Test**

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

### **Schedule 2: Factors to be considered when deciding the public interest.**

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

#### ***Factors favouring disclosure (Section 2.1)***

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government’s accountability.*
- *Section 2.1(a)(iii) - inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*

I have placed substantial weight on the above factors favouring disclosure. The release of this information can reasonably be expected to provide you contextual information relating to the request for information on the payment for storage fee of the non-standard number plate.

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

#### ***Factors favouring nondisclosure (Section 2.2)***

- *Section 2.2(a)(xi) - prejudice trade secrets, business affairs or research of an agency or person.*

I have also considered the impact of disclosing information which relates to business affairs. In the case of *Re Mangan and The Treasury* [\[2005\] AATA 898](#) the term ‘business

affairs' was interpreted as meaning 'the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs'. Schedule 2 section 2.2(a)(xi) allows for government information to be withheld from release if disclosure of the information could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

### **Charges**

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

### **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 will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

### **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 that my decision is provided to you, 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](mailto: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  
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 the CMTEDD FOI Team by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Emma Hotham  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate

19 December 2024



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Sch 2.2(a)(xi)

### **ACT Registration Number '68500'**

I would like to advise that the ACT vehicle registration, and storage attached to your non-standard registration number expired on the 15/12/2022.

### **The legislation**

*The Road Transport (Vehicle Registration) Terms and Conditions for the Sale of Rights to, and Storage of, Non-Standard Number Plates Determination 2023 (No 1)* sets out the conditions on which rights may be sold and exercised in respect to non-standard registration numbers and the conditions on which the numberplates displaying the non-standard registration number may be stored.

Access Canberra reserves the right to cancel the rights to a non-standard registration number in the following circumstances:

1. at the end of the 56-day holding period, the owner has not affixed the numberplates to a vehicle registered in the ACT or arranged storage in accordance with item 9; or
2. the numberplates have not been transferred to a registered vehicle or stored in accordance with item 9 within 2 years of the vehicle's registration expiry date; or
3. the numberplates have been removed from a vehicle registered in the ACT and not been stored in accordance with item 9; or
4. where the numberplates are displayed on a vehicle and the vehicle registration is cancelled, the owner does not transfer the plates to a registered vehicle or arrange storage (see item 9) by close of business on the cancellation date; or

5. where numberplates have been placed in storage, the plate owner does not extend the storage period or affix the plates to a vehicle registered in the ACT by the storage expiry date.

This enables the plates to be made available and resold to interested members of the public. Section 57 of the *Road Transport (Vehicle Registration) Regulation 2000* provides for cancellation of a non-standard registration number by written notice.

### **What you need to do**

If you wish to retain the rights to this non-standard registration number, you have until close of business 5 PM on **13 December 2024** to pay a reservation fees of **\$362.40** to reserve the plate rights.

Please be aware that if you take no action in response to this letter, your rights to this non-standard registration number will be cancelled on 14 December 2024. This will enable the rights to the non-standard registration number to be sold to another party after this date.

For information on paying storage fees, extending the existing plate storage period or affixing the plates to an ACT registered vehicle please contact Business Support on 6207 7020.

Kind regards,



Delegate of the Road Transport Authority  
14 November 2024