



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.		
Date of Application		
Date of Decision		
Processing time (in working days)		
Fees		
Decision on Access		
Information Requested (summary)		
Publication Details		
Original application	Published	N/A
Decision notice	Published	N/A
Documents and schedule	Published	N/A
Decision made by Ombudsman		
Additional information identified by Ombudsman		
Decision made by ACAT		
Additional information identified by ACAT		

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: RE: FOI Request to Worksafe ACT in relation to insurance on risk periods [REDACTED]
Date: Thursday, 23 October 2025 11:16:14 AM
Attachments: [image005.png](#)

You don't often get email from [REDACTED] [Learn why this is important](#)

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Dear Chris,

I confirm we consent to that course of action.

Kind regards,



From: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Sent: Thursday, 23 October 2025 11:13 AM
To: [REDACTED]
Cc: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Subject: RE: FOI Request to Worksafe ACT in relation to insurance on risk periods [REDACTED]
[REDACTED]

OFFICIAL

Hi [REDACTED]

Thank you for your time on the phone this morning and your request under the *Freedom of Information Act 2016 (FOI Act)*.

After careful consideration, I regret to inform you that we are unable to process point one and two of your requests under the FOI Act, as the information you are seeking is more than 20 years old. In accordance with section 13 of the Act, access to records of this age falls outside the scope of the FOI regime.

You may wish to contact **Archives ACT**, which manages access to older government records. They may be able to assist you with your request. You can find more information and submit an access application via the following link:

<https://www.archives.act.gov.au/>

As discussed, can you please confirm that you agree to remove points one and two of your request via return email.

Once confirmed we will send you a formal acknowledgement in due time.

To discuss this matter further or raise any questions, please contact the Freedom of Information Coordinator on 6207 7754 or send an email to CMTEDDFOI@act.gov.au with the subject heading **CMTEDDFOI 2025-381**.

Kind Regards,

Chris

Freedom of Information Coordinator

Phone: 02 6207 7754 | Email: CMTEDDFOI@act.gov.au

Corporate | Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 1, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | act.gov.au

From: [REDACTED]

Sent: Tuesday, 21 October 2025 2:57 PM

To: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: FOI Request to WorkSafe ACT in relation to insurance on risk periods [MA-C.FID175809]

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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.

Dear CMTEDD FOI team,

We kindly request the following information is released under the *freedom of Information Act 2016* (ACT):

- Details of any worker's compensation insurance policy, held by [REDACTED] from 1994-1998;
- Details of any worker's compensation insurance policy, held by [REDACTED] from 1997 to 2002; and
- Details of any worker's compensation insurance policy, held by [REDACTED] from 2004 to 2010.

We request that WorkSafe ACT provide information including, but not limited to, the details of any worker's compensation insurance policies held by the organisations, including the period on risk.

Kind regards,



This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.



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 21 October 2025. Specifically, you have sought access to the following information:

“We kindly request the following information is released under the freedom of Information Act 2016 (ACT):

- *Details of any worker’s compensation insurance policy, held by [redacted] from 1994-1998;*
- *Details of any worker’s compensation insurance policy, held by [redacted] from 1997 to 2002; and*
- *Details of any worker’s compensation insurance policy, held by [redacted] from 2004 to 2010.*

We request that WorkSafe ACT provide information including, but not limited to, the details of any worker’s compensation insurance policies held by the organisations, including the period on risk.”

On **23 October 2025** we contacted you in relation to your scope and advised:

*“After careful consideration, I regret to inform you that we are unable to process point one and two of your requests under the FOI Act, as the information you are seeking is more than 20 years old. In accordance with section 13 of the Act, access to records of this age falls outside the scope of the FOI regime. You may wish to contact **Archives ACT**, which manages access to older government records. They may be able to assist you with your request. You can find more information and submit an access application via the following link <https://www.archives.act.gov.au/>”*

Later on, **23 October 2025**, you agreed to the above and the scope was now reflective of:

“We kindly request the following information is released under the Freedom of Information Act 2016 (ACT):

- *Details of any worker’s compensation insurance policy, held by [redacted] from 2004 to 2010.*

We request that WorkSafe ACT provide information including, but not limited to, the details of any worker’s compensation insurance policies held by the organisations, including the period on risk.”

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 **23 December 2025**.

Decision on access

Following your clarification on 23 October 2025, searches were undertaken in accordance with the *Territory Records Act 2002* for points 1 and 2 of your request. These searches identified two files that were found to be relevant to your request.

However, as these records relate to workers compensation, The Director of Territory Records has applied the section 28 exemption to these documents (exemption number 2/2025). This means that the material is withheld under the Territory Records Act but can now be accessed under the FOI Act.

To demonstrate meeting the objects of the FOI Act and promoting disclosure, I have chosen to process your access request with its original scope.

I have decided to grant **no access (nondisclosure)** to both files.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

While I cannot provide the above records, I can provide the following related information taken from the records:

- [REDACTED] – Policy held with GIO General Ltd – Policy Number [REDACTED] from 9/9/2004 to 30/06/2025
- [REDACTED] - HIH fund reference [REDACTED] (2001)

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 consultation
- *Human Rights Act 2004*

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 nondisclosure in **Schedule 2** of

the Act.

No Schedule 1 factors were identified as relevant.

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 interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

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)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*

The release of this information could promote discussion of public affairs and contribute to positive and informed debate on important issues.

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

Factors favouring nondisclosure (Section 2.2)

- *Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

Having reviewed the documents, I consider that the protection of an individual's right to privacy as a significant factor. Individuals are entitled to expect that their personal information will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release and its context, I have decided that release of this information could prejudice their right to privacy under the *Human Rights Act 2004*. I am satisfied that this factor in favour of nondisclosure outweighs any factors of release for this information.

Charges

Processing charges are not applicable for this request as 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 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

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.

Yours sincerely



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

16 December 2025



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

We kindly request the following information is released under the *freedom of Information Act 2016 (ACT)*:

CMTEDDFOI 2025-381

- Details of any worker’s compensation insurance policy, held by [REDACTED] from 1994-1998;
- Details of any worker’s compensation insurance policy, held by [REDACTED] from 1997 to 2002; and
- Details of any worker’s compensation insurance policy, held by [REDACTED] from 2004 to 2010.

We request that WorkSafe ACT provide information including, but not limited to, the details of any worker’s compensation insurance policies held by the organisations, including the period on risk.

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	0-299	Default Insurance Fund – Claim Number [REDACTED]	2001-2007	Exempt	Sch 2 s2.2 (a)(ii)	No
2	300-499	Workers Compensation – Claim Number [REDACTED]	2001-2007	Exempt	Sch 2 s2.2 (a)(ii)	No
Total No of Docs						
2						