

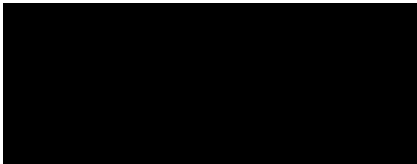


ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 96/14-15

Your ref:



Dear 

Request for documents

I refer to your letter received 16 July 2015 addressed to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) in which you now seek, following amendment of your initial request, access to documents under the *Freedom of Information Act 1989* (the Act), as follows:

- The agreement for the sale of ACTTAB Ltd to Tabcorp Ltd.

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents, and liability for charges, for the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

Charges

I have decided, under section 29, of the Act not to impose processing charges for this request.

Identification of Documents

Officers of CMTEDD have conducted searches of paper and electronic files for documents that relate to your request and one document has been located. The document that is relevant to your request, the Sale Agreement of 29 July 2014, has been located in the Expenditure Review Division.

Decision on Access

In accordance with section 21 of the Act, I have decided not to release to you the identified document. My reasons for not providing access are outlined in the following statement of reasons.

Exemptions claimed

Documents Relating to Business Affairs

Under section 43 of the Act, I have decided to exempt from release, in full, the document as it contains commercially sensitive information, which if released could adversely impact on the competitive operations of the relevant business. Access to the document by competitors may allow exploitation of commercial information.

Section 43 of the Act provides:

- (1) *A document is an exempt document if its disclosure under this Act would disclose—*
- (a) *trade secrets; or*
 - (b) *any other information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or*
 - (c) *information (other than trade secrets or information to which paragraph (b) applies) concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—*
 - (i) *the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs.*

Your right of review

Internal Review

Under section 59 (1) of the Act, you may request a review of my decision. You have 28 days after receiving notice of my decision to ask for a review, or a further period as allowed by the Director-General.

Your request should be addressed to:

Director-General
Chief Minister, Treasury, and Economic Development Directorate
GPO Box 158
CANBERRA ACT 2601

Complaints to the Ombudsman

Under section 54 of the Act, you may complain to the Ombudsman about administrative matters relating to the processing of your FOI request. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation into your complaint.

You can contact the Ombudsman either by telephone on 1300 362 072 or in writing to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Online FOI Policy

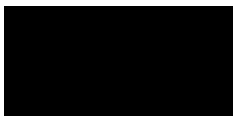
Please note that this letter may be made public on the ACT Government Open Government Website.

A copy of the policy, with details about what information may be published on the Internet, is available online at:

http://www.cmd.act.gov.au/data/assets/pdf_file/0016/250333/FOI_Web_Release_Policy_-_Final.pdf

Should you have any queries regarding this matter, please contact me on (02) 6207 0213.

Yours sincerely



Stuart Friend
Director
Expenditure Review Division

24 August 2015