



**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 2023-205

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	22
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](#)  
**Subject:** RE: Notice of Decision - CMTEDDFOI 2023-154  
**Date:** Thursday, 8 June 2023 9:52:34 PM

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Good evening,

I do not believe that I have provided additional information; rather, the interpretation between the parties was misunderstood on the initial request. I am more than happy for this to be considered as a new request.

Thanks,  
[REDACTED]

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**From:** CMTEDD FOI <[CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)>  
**Sent:** Wednesday, June 7, 2023 10:17 AM  
**To:** [REDACTED]  
**Subject:** RE: Notice of Decision - CMTEDDFOI 2023-154

OFFICIAL

Good morning [REDACTED],

Thank you for your email. I note you are requesting additional information in relation to a previous release of information.

Are you happy for me to proceed this request as a new FOI, and begin the process of obtaining this requested information? The timeline start date for this request will be 2 June 2023, the date you requested the additional information.

Regards,  
Jess

Freedom of Information Coordinator | Information Access Team  
Phone: 02 6207 7754 | Email: [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)

**Corporate | Chief Minister, Treasury and Economic Development Directorate | ACT Government**  
Level 5, 220 London Circuit, Canberra ACT 2601 | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

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**From:** [REDACTED]  
**Sent:** Friday, 2 June 2023 9:57 PM  
**To:** CMTEDD FOI <[CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)>  
**Subject:** RE: Notice of Decision - CMTEDDFOI 2023-154

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Good evening FOI team,

Firstly, I'd like to express my gratitude for your prompt response to my previous information request. The data you provided was indeed insightful and enlightening. However, I would like to kindly request further specific details, to better align with our original inquiry.

Our key interest lies in obtaining statistics broken down by 'Licence Occupation'. Specifically, we were hoping for the mean and median data organized by this parameter. Having this type of information would greatly enhance our understanding of the scenario and provide more detailed insights which we are currently seeking.

To illustrate the kind of data presentation we are aiming for, I have attached a sample table with this email. I hope this table serves as a clear demonstration of the format and information breakdown we require.

Once again, thank you for your time and your commitment to maintaining transparency and facilitating our request. We eagerly anticipate your response and the additional information.

Licence Occupation	Number of Licensees on Register	Median Demerit Points	Mean Demerit Points
Electrician	63	4	4.5
Builder	40	6	5.2
Building Surveyor	16	5	4.7
Drainer	2	4	4.3
Gasfitter	1	7	6.8

[Redacted]

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**From:** CMTEDD FOI <[CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)>  
**Sent:** Tuesday, May 30, 2023 10:09 AM  
**To:** [Redacted]  
**Subject:** Notice of Decision - CMTEDDFOI 2023-154

OFFICIAL

Dear [Redacted]

Please see the attached decision letter relating to your recent Freedom of Information request.

Regards

Freedom of Information Coordinator | Information Access Team

Phone: 02 6207 7754 | Email: [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)

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

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### 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 2 June 2023. Your request sought additional information relating to another recent request (CMTEDDFOI 2023-154) which was finalised on 30 May 2023.

Specifically, you have sought access to the below additional information:

- *Statistics broken down by 'License Occupation'. Specifically, we were hoping for the mean and median data organized by this parameter."*

#### Authority

I am an Information Officer appointed by the 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 by 17 July 2023.

#### Decision on access

Searches were completed for relevant information maintained by CMTEDD and I have decided to grant **full access** to the available information. The corresponding data is released to you in the below table:

Licence Occupation	Number of licensees with active demerit points	Median of demerit points (by licensee)	Median of demerit points (by offence)	Mean of demerit points (by licensee)	Mean of demerit points (by offence)
Electrician	63	3.00	3.00	5.15	3.01
Builder	40	2.00	1.00	3.85	1.59
Building Surveyor	16	2.00	2.00	3.75	1.67
Drainer	2	4.00	1.00	4.00	1.00
Gasfitter	1	3.00	3.00	3.00	3.00
<b>Total</b>	<b>122</b>	<b>3.00</b>	<b>2.00</b>	<b>4.50</b>	<b>2.23</b>

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

### **Statement of Reasons**

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

### **The public interest information under schedule 2 of the Act**

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 non-disclosure.

Taking into consideration the information 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 in the public interest:**

*(a) disclosure of the information could reasonably be expected to do any of the following:*

- (i) promote open discussion of public affairs and enhance the government's accountability;*
- (ii) contribute to positive and informed debate on important issues or matters of public interest;*
- (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. It is reasonable to expect that information about this topic may be of interest to other residents within the Canberra community. The release of this information can reasonably be expected to provide information that will inform the community, enhance debate and inform members of the community about government operations.

I did not identify any factor favouring nondisclosure and have decided to release this information to you in full.

### **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. You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log-2023>

## **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 published in CMTEDD disclosure log, 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:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

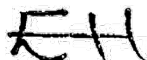
## **ACT Civil and Administrative Tribunal (ACAT) Review**

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  
15 Constitution Avenue  
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

4 July 2023