



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 55/16-17



Dear 

Decision on Freedom of Information Request – 9th Parliamentary Agreement between ACT Labor and ACT Greens

I am writing with regard to your access request, submitted under section 14 of the *ACT Freedom of Information Act 1989* and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 15 February 2017.

In your request you sought:

“...documents generated within the Chief Minister, Treasury and Economic Development Directorate relating to the 9th Parliamentary Agreement between Labor and the Greens. Documents might include briefing notes to the MLAs, written briefs, on-going check-lists to track progress, costings and other policy assessments.”

Thank you for your patience while your request was being finalised.

Decision Maker

I am authorised under section 22 of the Act to make decisions on access to documents and liability for charges.

Charges

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

Identification of Documents

I have interpreted your request to pertain specifically to documents concerning the 9th Parliamentary Agreement between ACT Labor and ACT Greens, noting but not limited by the examples you have provided. The identified documents include emails, tracking sheets, briefings and relevant attachments.

Chief Minister, Treasury and Economic Development

GPO Box 158 Canberra ACT 2601 | phone: 132281 | www.act.gov.au

Some emails identified during initial searches were, on review, deemed to be irrelevant to the scope of your request. Although these emails mention the Parliamentary Agreement they contain no comment, analysis or progress updates. This out-of-scope material is no longer listed on the attached schedule and accordingly the folio numbers are not consecutive.

Decision on Access

I have decided to fully release 19 documents to you and fully exempt the remaining documents from release. My reasons for not providing access to these documents are detailed in the following statement of reasons and in the attached schedule.

Exemptions claimed

Section 35 – Executive documents

Refers to folios: 1-3, 5-8, 10, 11, 14-87, 113, 114, 116, 118.

Section 35 provides:

- (1) *A document is an exempt document if it is—*
- (a) *a document that has been submitted to the Executive for its consideration or is proposed by a Minister to be so submitted, being a document that was brought into existence for the purpose of submission for consideration by the Executive; or*
 - (b) *an official record of the Executive; or*
 - (c) *a document that is a copy of, or of a part of, or contains an extract from, a document referred to in paragraph (a) or (b); or*
 - (d) *a document the disclosure of which would involve the disclosure of any deliberation or decision of the Executive, other than a document by which a decision of the Executive was officially published.*

I have decided to exempt some documents from release in respect of the confidential nature of the considerations of Cabinet. Release of these documents would involve the disclosure of deliberations and decisions of the Executive, as described in section 35(1)(d) of the Act, and the disclosure of documents that were brought into existence for the purpose of submission for consideration by the Executive, as described in section 35(1)(a).

The documents found include a number of implementation briefs that were written to inform the Cabinet of an implementation approach, either directly or in future budget business cases. These documents have been exempted, but are outlined in the schedule.

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
c/o Freedom of Information Co-ordinator
Chief Minister, Treasury and Economic Development Directorate
GPO Box 158
CANBERRA ACT 2601

Via email: CMTEDDFOI@act.gov.au

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 Freedom of Information 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

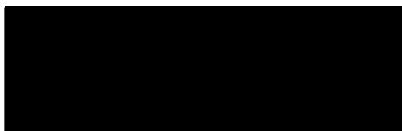
Online FOI Policy

I have assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that my decision on your request and the information released will be published online. Personal information or business information will not be made available under this policy.

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 8884.

Yours sincerely



Geoffrey Rutledge
Executive Director
Strategic Policy and Cabinet

23 March 2017