



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 2020-187

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	No
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	9
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



Our Ref: [redacted]

10 September 2020

WorkSafe ACT
Email: worksafe@act.gov.au

Dear Sirs,

Re: [redacted]
Injury on 3 March 2020

We act on behalf of the abovenamed client.

We enclose GIPA Application and cheque in the sum of \$30.00 (in the post).

We look forward to hearing from you.

Yours faithfully,



[redacted]
Liability limited by a scheme approved under Professional Standards Legislation.



Government Information (Public Access) Act 2009 – application

Please complete this form to apply for formal access to government information held by SafeWork NSW under the *Government Information (Public Access) Act 2009* (GIPA Act). If you need help with filling out this form, please contact SafeWork NSW's Right to Information Officer or visit their website (see over for details).

SECTION 1: YOUR DETAILS

Title	Family/Surname	
M r		
Given name		
Other names		
Name of party on whose behalf you are acting (if applicable)		
Postal address		
Unit number/Street number/Property number (include Lot or DP number if applicable)		
Street name		
Suburb	State	Postcode
	N S W	
Daytime contact number	Mobile number	
Company		
Email		
<input checked="" type="checkbox"/> Email I agree to receive correspondence at the above email address.		

SECTION 2: PROOF OF IDENTITY

When seeking access to any person's personal information (including your own), an applicant must provide proof of identity in the form of a certified* copy of any one of the following documents:

- Australian driver's licence (with photograph, signature and current address)
- Current Australian passport
- Other proof of signature and current address details

* Certified means that your proof of identity must be verified (ie signed and dated) by an authorised person (Justice of the Peace, doctor, teacher, pharmacist, legal practitioner, Postmaster – Australia Post).

SECTION 4: FEES AND CHARGES

Application fee – A fee of \$30 applies to all Right to Information applications. Processing cannot proceed until this fee is paid.

Additional processing charges

The application fee for applicants seeking access to their own personal information provides for 20 hours of processing time. A charge of \$30 (or \$15 concession*) per hour is applied thereafter.

The application fee for applicants seeking access to non-personal information provides for one hour of processing time. A charge of \$30 (or \$15 concession*) per hour is applied thereafter.

*A \$15 concession applies for fees and processing charges where an applicant can certify the following:

- the applicant holds a Pensioner card or a Health Benefit card, or
- is a full time student, or
- represents a non-profit organisation, or
- is able to demonstrate financial hardship.

SECTION 5: LODGEMENT FEES (the \$30 application fee must be paid when this notification is submitted)

- Pay by cheque. Enclose a cheque made payable to SafeWork NSW
- Pay by money order. Enclose a money order made payable to SafeWork NSW
- Pay by credit card. Please charge \$ to my: MasterCard Visa

A payment processing fee applies to credit card payments (MasterCard and Visa 0.40%) plus applicable GST.

Card number

Card expiry date (MM/YYYY)

 /

Cardholder name (please print name as displayed on credit card)

Cardholder signature

Date (DD/MM/YYYY)

SECTION 6: DISCLOSURE LOG

If the information you have requested is released to you and would be of interest to other members of the public, details about your application may be recorded in the agency's 'disclosure log'. This is published on the agency's website.

Do you object to this? (please tick one) Yes No

Applicant's signature

Date (DD/MM/YYYY)

SECTION 7: FORM OF ACCESS

How do you wish to access the information?

A copy of the documents Access in another way (please specify below)

SECTION 8: CONSULTATION

Information/records that relate to other persons or businesses may require third party consultation before a decision to release them can be made. Your response to the following questions will be taken into consideration in these instances.

Do you understand that other involved persons may be contacted to obtain their consent to release information/records to you?

Yes No

Do you understand that to undertake third party consultation, the time taken to respond to your application will be extended by a further 15 working days?

Yes No

Do you consent to the other party being given your details as the applicant requesting their information?

Yes No

FURTHER INFORMATION

You can contact the Information and Privacy Commissioner NSW for further information on the GIPA Act at ipc.nsw.gov.au or by telephone on **1800 472 679**.

Agency contacts and form return address

Please address completed forms to the Right to Information Officer at the relevant agency address:

SafeWork NSW

Locked Bag 2906

Lisarow NSW 2252

Phone: (02) 4321 5000

Toll Free: 13 10 50

Email: wcrgipa@safework.nsw.gov.au

safework.nsw.gov.au

Catalogue No. **SW08068** SafeWork NSW Publications Hotline **1300 799 003**

SIRA, 92–100 Donnison Street, Gosford, NSW 2250

Locked Bag 2906, Lisarow, NSW 2252 | Customer Service Centre **13 10 50**

Website safework.nsw.gov.au

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I, Adelina Stilo, JP, hereby certify this to be a true and correct copy of the original document sighted by me.

Signature Adelina Stilo Reg. No. 157403



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2020-187

via email: [REDACTED]

Dear [REDACTED]

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 28 September 2020, in which you sought access to:

- All investigations carried out by WorkSafe ACT in relation to an accident on 3 March 2020 involving [REDACTED] when he was injured on a building site at 15 Bowes Street Phillip ACT, including photographs, drawings, sketches, reports, statements, details of findings and outcomes of investigations and details of any penalties imposed, recommendations made.

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 of section 40 of the Act, CMTEDD was required to provide a decision on your access application by 27 October 2020.

Decision on access

A search of CMTEDD records has failed to identify any documentation in relation to your request. The search was conducted using the information you provided.

I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by CMTEDD.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number folio's to be released to you is below the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 16 October 2020. 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>.

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 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
Level 4, 1 Moore St
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 me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Philip Dachs
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

12 October 2020