




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2019-079



via email: 

Dear 

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 4 April 2019 (Initial Request), in which you state:

*"I am seeking the following items from CMTEDD. The following URL;
https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2*

Could you kindly provide me with the list of dates where updates have been applied to this page. Date range between 22nd of August 2017 and 4th of April 2019.

- *A list of the updates made to this page with their respective dates and the information modified/removed as per the change.*
- *Please advise if the modification date at the bottom of the screen captures and changes when any metadata is modified on the page.*
- *Is this a manual or automated process (the modifying of information/metadata)?*
- *What the change process entails in updating the public facing site including approval to make the change, by whom and audit control measures.*
- *In particular I am interested on the subheading; **What do I need to show if I am applying for a motor vehicle wholesaler or dealer licence**".*

On 8 April 2019, I made a decision, in respect of the Initial Request, to grant you full access to the information listed above. Following this decision, on 8 April 2019 you wrote to CMTEDD seeking clarification of a few items that you believe did not address or highlight the information you requested.

On 9 April 2019, Kelly-Jane Yule, Freedom of Information Coordinator, wrote to you to advise that she understood your request was limited to the subheading "*What do I need to show if I am applying for a motor vehicle wholesaler or dealer licence*" and you were wanting all of the information listed in the top 4 points above in respect of this subheading only.

The scope of your request has now been clarified and you are requesting the information in the top 4 points above be provided in respect of all subheadings contained in the following URL:

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2

Authority

I am an authorised Information Officer appointed by the Director-General of CMTEDD under section 18 of the Act to deal with access applications made under Part 5 of the Act. This decision is made pursuant to section 36 of the Act.

Decision on access

Following the clarification of the scope of your Initial Request, further information was found and is contained in 1 document. I have decided to grant full access to the document. The document released to you is provided as **Attachment B** to this letter.

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, my decisions and all documents released to you in response to your access application will be published in the CMTEDD disclosure log after 12 April 2019. Your personal contact details will not be published.

You may view the 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 a review by the Ombudsman of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision 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) by the Ombudsman, you may apply to the ACAT for a 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 by email at CMTEDDFOI@act.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sarah McBurney', with a stylized flourish at the end.

Sarah McBurney
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

9 April 2019

- 1) A list of the updates made to this page with their respective dates and the information modified/removed as per the change.

Recorded date of updates for “Trader Licensing” page

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129. This includes any changes to content non-related to information on “How to Apply” tab

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2

Between 22 of August 2017 and 4 of April 2019

- 22 August 2017
- 23rd August 2017
- 22 September 2017
- 9 October 2017
- **12 October 2017 (Correction made to year in previous response)**
- 24 October 2017
- 21 November 2017
- 7 December 2017
- 12 December 2017
- 26 February 2018
- 13 March 2018
- 27 May 2018
- 30 May 2018
- 26 June 2018
- 2 July 2018
- 3 July 2018

Screenshots of the content for “How to apply” on the above dates

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2

How to apply

How do I apply for a licence?

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How long can I have the licence issued for?

The licence could be issued for either 1 to 5 years.

What is a benefit for me in applying for a 5 year licence?

In addition to a longer term of your licence and minimising the need to renew after 1 year, a 5 year licence provides you with a 10% discount and protects you from the regular annual fee increases.

What documentation do I need to submit with my application?

You will need to satisfy the prescribed eligibility and suitability requirements.

To be eligible you must be of 18 years of age or older.

With your application in any of the 4 trader categories, you (the applicant or entity) will need to provide:

- Your full name
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- Any other information prescribed by regulation and required by the Commissioner for Fair Trading

Trading.

What do I need to show if I am applying for a motor vehicle wholesaler or dealer licence?

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The Commissioner for Fair Trading will also be able to consider if the issuance of the licence to you would be in public interest.

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22 September 2017

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12 October 2017

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24 October 2017

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21 November 2017

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7 December 2017

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26 February 2018

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13 March 2018

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25 May 2018

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30 May 2018

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2 July 2018

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- Proposed trading address / addresses (if more than one premise)
- Identity of each relevant person for the entity

What do I need to show if I am applying for a motor vehicle wholesaler or dealer licence?

If you are applying for a motor vehicle wholesaler or dealer licence, you will also need to provide information evidencing that you:

- have not contravened law
- had no finding of guilt for fraud or dishonest conduct
- did not contravene any licences of your current or previous licence
- have not been refused a licence in the past
- had no licence removed or cancelled.

The Commissioner for Fair Trading will also be able to consider if the issuance of the licence to you would be in public interest.

What information do I need to submit about my premises?

The Commissioner for Fair Trading is authorised by the Act to consider your premises as part of the application approval. It is your responsibility to ensure you obtain and provide all necessary approvals from relevant agencies where needed.

3 July 2018

How to apply

How do I apply for a licence?

Access Canberra provides an [Application for a new or renewal of a traders licence \(Online\)](#) that will guide you through the application process.

How long can I have the licence issued for?

The licence could be issued for either 1 to 5 years.

What is a benefit for me in applying for a 5 year licence?

In addition to a longer term of your licence and minimising the need to renew after 1 year, a 5 year licence provides you with a 10% discount and protects you from the regular annual fee increases.

What documentation do I need to submit with my application?

You will need to satisfy the prescribed eligibility and suitability requirements.

To be eligible you must be of 18 years of age or older.

With your application in any of the 4 trader categories, you (the applicant or entity) will need to provide:

- Your full name
- Date of birth
- Your trading name
- Proposed trading address / addresses (if more than one premise)
- Identity of each relevant person for the entity

What do I need to show if I am applying for a motor vehicle wholesaler or dealer licence?

If you are applying for a motor vehicle wholesaler or dealer licence, you will also need to provide information evidencing that you:

- have not contravened law
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Current content on the website is as at 3 July 2018.

2. Could you please clarify this date is correct “9 October 2019.

It should be 9 October 2017.

3. Thank you for providing the dates on which changes were made. I cannot see what the changes made were, what was the content which was modified or removed as per my request. Could you specify what the changes were that were done on the noted dates as I cannot see any visibility of this. There should be an audit trail, if not please state this.

The screenshot in (1) captures the content on the recorded dates on “How to Apply” tab https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2

as per the FOI requests.

No visible content difference in the screenshots in (1) would mean that no content change were made to “How to Apply” for the period requested.

We do have an audit trail.

Changes were out of the scope of the requests in the FOI and does not relate to “How to Apply” tab thus no variation in the screenshot provided in (1) https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/4129#!tabs-2

Recorded changes were pertaining to other area of the page.

1. Changing spelling of “four” to 4 on “Overview”. (22 August 2017)

2. Changing spelling of “second?hand” to “second-hand” in Overview tab (23 August 2017)
 3. Adding the word “licence” to the end of the sentences” Application for issue or renewal of a motor vehicle dealer, wholesaler or car market operator trader” in Forms and Fees (23 August 2017)
 4. Replacement of “After commencement of the new traders (Licensing Act 2016) both DOC and PDF in “For Customers” (9 October 2017, 12 October 2017, 24 October 2017)
 5. Change “2017” to “2016” in Overview tab (21 November 2017)
 6. Spacing and dash in the phone number “13 22 81” in the HTML code on Contact Options (7 December 2017)
 7. Replacement of “After commencement of the new traders (Licensing Act 2016) both DOC and PDF in “For Customers” (12 December 2017)
 8. Replacement of “After commencement of the new traders (Licensing Act 2016) both DOC and PDF in “For Customers” (26 February 2018)
 9. Replacement of “After commencement of the new traders (Licensing Act 2016) both DOC and PDF in “For Customers” (13 March 2018)
 10. Remove <div> tag in HTML code (27 May 2018)
 11. Creating of a new tab “tabs-8a” for Public Register and list of type of registers in Tabs-8a (30 May 2018)
 12. Add “s” to heading of Public Register to become “Public Registers” (26 June 2018)
- And update of fees amount on Forms and Fees, removing public registers document list and create link to /app/services/occupational/#/Traders” (26 June 2018)
13. 2 July 2018 – Add link /app/services/occupational/#/Traders” with document on Traders Licence Public Register
- 3 July 2018 – replace document on Traders Licence Public Register with link to /app/services/occupational/#/Traders”
- 30 November 2018 – Status of page changed from “Public Tech Review” to “Review”.

4. The page at current states “Updated 30/11/2018 01.02 AM” you have not provided this date in your list. What was the change that was made?

On 30/11/2018 01:02AM, the page status was put to “Review” and has no visible impact on the content available to the public.