



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 2023-024

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	18
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: FOI Request - Sovereign's Birthday
Date: Saturday, 4 February 2023 1:01:18 AM
Attachments: [Screenshot_20230203_214632_LinkedIn.jpg](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

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[Learn why this is important](#)

Hello,

I noticed the ACT Government's use of the term "Sovereign's Birthday" on social media (as per the attached).

I am making a request under the Freedom of Information Act. I seek access to all the documents leading to and including the decision to name the public holiday "Sovereign's Birthday". The time period of this request is this ACT parliamentary term.

For the purposes of communication with regard to this request, you may use this email address [REDACTED]

Thank you very much for your handling of this request.

Kind regards,

[REDACTED]



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD FOI 2023-024

[REDACTED]
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 **4 February 2023**, in which you sought access to:

"I seek access to all the documents leading to and including the decision to name the public holiday "Sovereign's Birthday". The time period of this request is this ACT parliamentary term."

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 **3 March 2023**.

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.

Please see the information below, provided by the relevant business unit to provide you with some additional context:

Public holidays observed in the ACT, which includes the national public holidays found under the national Fair Work laws, are set out in the [Holidays Act 1958](#) (ACT) (Holidays Act). These holidays are listed on the [CMTEDD webpage](#), sourced from the legislation.

While the website has been updated to no longer refer to the June public holiday as the "Queen's birthday", the reference to "Sovereign's birthday" has been used relying on section 3(1)(x) of the Holidays Act which has been in place since it was first made as a Commonwealth Ordinance in 1958 (refer the [Holidays Ordinance 1958](#) (Cth)). Given this, there has been no decision to change the name of this June public holiday.

Material considered

In reaching my access decision, I have taken the following into account:

- the Act
- the information that falls within the scope of your request.

Charges

Processing charges are not applicable for this request because no documents are being released to you.

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 decision and documents released to you in response to your access application **will** be published in the CMTEDD disclosure log after **8 March 2023**. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

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 02 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,

Handwritten signature of Emma Hotham, consisting of the letters 'EH' in a stylized, cursive font.

Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

2 March 2023