

Freedom of Information Request Schedule – 14/26418 - Elementus Due Diligence

Please be aware that under the ACT Government’s Online FOI Publication Policy, information released to you under this Freedom of Information Application may be released on the internet.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

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/open_government/report/freedom_of_information_online

Ref No.	Number of Pages	Description	Date	Status	Reason for Exemption	Online release status
1.	1	Email notification – Accepted: phone conference with ESDD	17/6/2013	Release		Release
2.	1	Email notification – Accepted: Solar Auction – Pre meeting for discussion with MO	17/6/2013	Release		Release
3.	3	Email: FW: OneSun – Further due diligence advice	18/6/2013	Partial Release – Section 41, section 43		Partial
4.	2	Email: FW: OneSun – Further due diligence advice	17/6/2013	Partial Release – Section 41, section 43		Partial
5.	1	Email: FW: OneSun – Further due diligence advice	18/6/2013	Partial Release – Section 41, section 43		Partial
6.	1	Email: OneSun – Further due diligence advice	17/6/2013	Partial Release – Section 41, section 43		Partial
7.	1	Email: RE: Further due diligence advice and costs per household	18/6/2013	Partial Release – Section 41, section 43		Partial
8.	4	Email: RE: OneSun – further due diligence advice	18/6/2013	Partial Release – Section 41, section 43		Partial
9.	2	Email: RE: OneSun – Further due diligence advice	18/6/2013	Partial Release – Section 41, section 43		Partial

10.	2	Attachment 6 – specified personnel	Undated	Release		Release
11.	1	Email: Solar Auction – Further Advice	18/6/2013	Partial Release – Section 41		Partial
12.	2	Attachment 6 – Specified personnel	Undated	Release		Release

Exempt documents

Note For the exemption of documents in the possession of the housing commissioner containing protected information within the meaning of the *Housing Assistance Act 2007*, pt 5, see that Act, s 29.

41 Documents affecting personal privacy

- (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).
- (2) Subject to subsection (3), subsection (1) does not apply to a request by a person for access to a document only because of the inclusion in the document of matter relating to that person.
- (3) Where—
 - (a) a request is made to an agency or Minister for access to a document of the agency, or an official document of the Minister, that contains information of a medical or psychiatric nature concerning the person making the request; and
 - (b) it appears to the principal officer of the agency, or to the Minister, as the case may be, that the disclosure of the information to that person might be prejudicial to the physical or mental health or wellbeing of that person;

the principal officer or Minister may direct that access to the document, so far as it contains that information, that would otherwise be given to that person is not to be given to that person but is to be given instead to a doctor to be nominated by that person.

43 Documents relating to business affairs etc

- (1) A document is an exempt document if its disclosure under this Act would disclose—
 - (a) trade secrets; or

- (b) any other information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or
 - (c) information (other than trade secrets or information to which paragraph (b) applies) concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, being information—
 - (i) the disclosure of which would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs; or
 - (ii) the disclosure of which under this Act could reasonably be expected to prejudice the future supply of information to the Territory or an agency for the purpose of the administration of a law or the administration of matters administered by an agency.
- (2) Subsection (1) does not apply to a request by a person for access to a document—
- (a) only because of the inclusion in the document of information concerning that person in respect of his or her business or professional affairs; or
 - (b) only because of the inclusion in the document of information concerning the business, commercial or financial affairs of an undertaking where the person making the request is the proprietor of the undertaking or a person acting on behalf of the proprietor; or
 - (c) only because of the inclusion in the document of information concerning the business, commercial or financial affairs of an organisation where the person making the request is the organisation or a person acting on behalf of the organisation.
- (3) A reference in this section to an undertaking includes a reference to an undertaking that is carried on by, or by an authority of, the Territory, the Commonwealth, a State or by a local government authority.