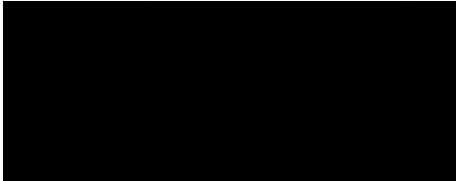




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDD 52/16-17



Dear 

Decision on Freedom of Information Request – Repucom Major Events Strategy

I am writing in relation to your access request, made under section 14 of the ACT *Freedom of Information Act 1989* (the Act) and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 10 February 2017.

In your request you are specifically seeking:

“...all documents and any information held by the Directorate relating to advice provided by REPUCOM INTERNATIONAL PTY to the ACT Government, in particular:

All reports provided by REPUCOM to the ACT Government concerning 'Major Events Strategy for the ACT';

All documents received by the ACT Government concerning in exchange for the payment made to REPUCOM on 28th July 2015;”

Decision Maker

As previously advised, 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.

Chief Minister, Treasury and Economic Development

Identification of Documents

I note that your request seeks documents received by the ACT Government in exchange for a payment made to Repucom on 28 July 2015. No record has been identified of a payment to Repucom on this date but a payment of \$42,347.25 was made on 9 July 2015. This was one of two payments to Repucom under a contract to deliver a Major Events Strategy (a payment of \$42,347.25 was also made to Repucom on 23 June 2015).

I have interpreted your request to relate specifically to the '*Development of a Major Events Strategy for the Australian Capital Territory – Draft Summary Presentation*' report (the Report), provided to CMTEDD by Repucom in exchange for the aforementioned payments.

Decision on Access

As I advised you in my letter of 14 March 2017, I consulted with a third party and have given consideration to the third party's response in making my release decision. I have decided to fully exempt the Report from release. My reasons for not providing access to the Report are detailed in the following statement of reasons and in the attached schedule.

Although I have decided not to release the draft Report prepared by Repucom, the resultant final Major Events Strategy will be a publicly released document. I will ensure that your office is provided a copy at the time of release and would also be happy to discuss the strategy in more detail if requested.

Exemptions claimed

Section 43 - Documents relating to business affairs etc

Section 43 of the Act provides:

- (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.*
 - (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.*

I have decided to exempt the Report from release as it contains information concerning the business affairs of a third party as described in section 43(1) of the Act. Release is likely to adversely affect this third party by making public detailed information about its intellectual property, including its business processes and methodology. I note that the interests of the company that prepared the report for CMTEDD (Repucom) have subsequently been acquired by another company, including matters relating to their business affairs.

I consider that release of the Report would reveal trade secrets concerning the third party's methodology used in preparing a comprehensive approach to major event strategy development. The Report details the research and analysis undertaken in delivering the requirements of the contract. It is reasonable to expect that release would disclose commercially sensitive information for exploitation by competitors, thereby impacting the competitive operations of the business concerned. I consider that release would diminish the commercial value of the third party's business offering and compromise future business opportunities of the organisation.

The Report also contains detailed stakeholder analysis that was provided to CMTEDD for internal reference and not intended for public release.

I have considered whether the Report could be partially redacted, as described in section 22 of the Act, in such a way that the document would no longer be exempt under section 43(1) of the Act. As the business affairs information is the comprehensive strategy itself I do not consider that partial release would adequately protect the third party from likely adverse effects to their business affairs.

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

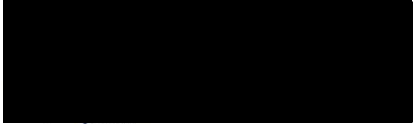
Online FOI Policy

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 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) 6205 0012.

Yours sincerely



Ian Hill
Executive Director
Visit Canberra

13 April 2017