



ACT
Government

Justice and Community Safety

Our Reference: 14-0068

Dear [REDACTED]

FREEDOM OF INFORMATION

I write in response to your letter of 22 September regarding your request for access to the Office of Regulatory Services (ORS) documents under the *Freedom of Information Act 1989* (the Act).

In your letter, you sought access to documents relating to the speed measuring device located at the intersection of Hindmarsh Drive and Tuggeranong Parkway, Weston.

In particular, you sought access to:

"...Speed measuring device identification, type, serial number and certification.

- *Design, installation and testing records specific with this device (Dec 2014)*
- *Design, installation and testing records specific with this device. (New Device or installation)*
- *Installation and testing records specific with this device for the period 01/06/2012 until 01/06/14*
- *A record of all images and associated data records (data, time, speed limit, record vehicle speed) for the period 01/11/2013 until 01/12/13 without the inclusion of personal particulars such as registration numbers..."*

The Road Transport Authority does not administer the documents regarding the design and installation of the device. The documents are commercial in confidence to the manufacturer.

I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

I have decided to partially release some documents to you, with exemptions, in accordance with section 41(1) of the Act, while other documents are to be consulted on in accordance with section 27 and section 27A of the Act. Please see the attached document schedule identifying the document being released to you and the documents subject to third party consultation.

Section 27 of the Act allows for third parties to make submissions in regards to the release of information under section 43(1) of the Act. Section 43(1) of the Act details that information may be exempt from release if its disclosure under the Act would unreasonably affect business affairs.

Section 27A of the Act allows for third parties to make submissions in regards to the release of information under section 41(1) of the Act. Section 41(1) of the Act details

that information may be exempt from release if its disclosure under the Act would unreasonably release personal information.

I note that you have requested a record of all images and data records of vehicles captured with the speed measuring device located at Hindmarsh Drive and Tuggeranong Parkway. However, this information cannot be made available due to privacy reasons and because it might compromise operation of the devices. This information will not be released in accordance with section 40 (1) and section 41(1) of the Act.

Section 40(1) of the Act details that information may be exempt from release if its disclosure under the Act would unreasonably disclose documents concerning certain operations of agencies.

The requirement to respond within 30 days to your request necessitates a decision and response by 22 October 2014. However, as a result of third party consultation the due date for a decision to be made in relation to the remaining documents has been extended by 30 days to **21 November 2014** to allow for third party submissions to be made.


You have the right to seek a review of this outcome under section 59 of the Act within 28 days from the date of this letter, or such other period as the Director-General permits. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. If you wish to seek a review you should write to:

The Director-General
ACT Justice and Community Safety Directorate
C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You also have the right to complain to the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Yours sincerely,



David Snowden
Decision Maker
Office of Regulatory Services

21 October 2014