



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

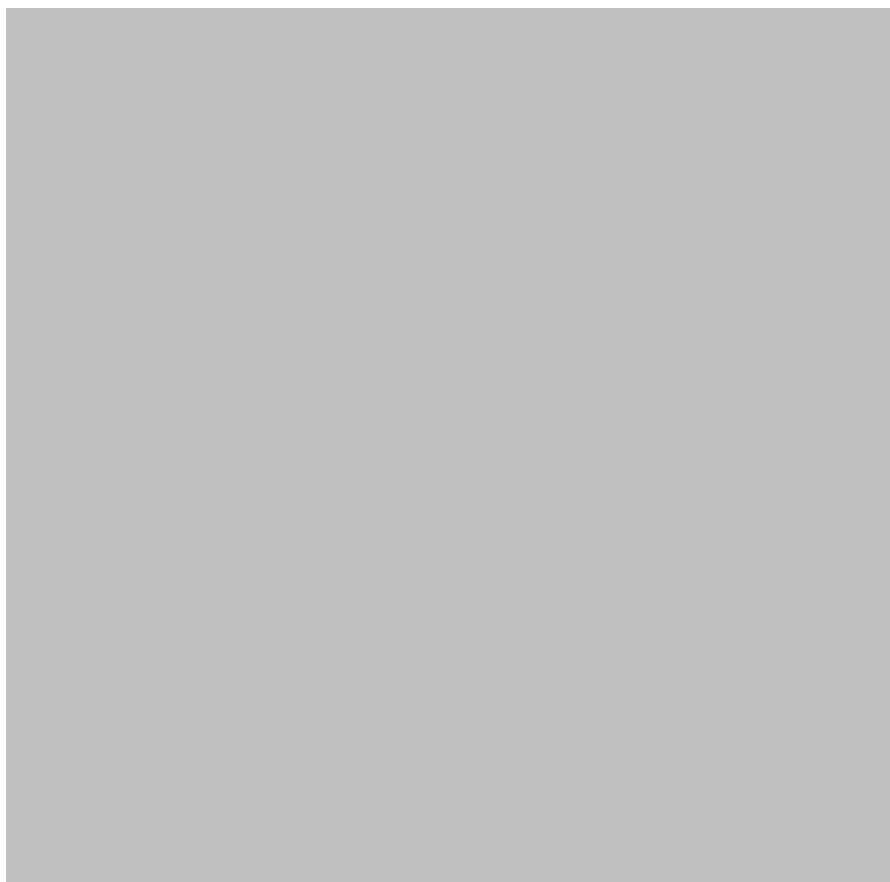
Application Details	
Ref. No.	CMTEDDFOI 2024-054
Date of Application	26 February 2024
Date of Decision	22 March 2024
Processing time (in working days)	18
Fees	N/A
Decision on Access	Refusal
Information Requested (summary)	All documents relating to modelling and assumptions around expected receipts from the extension of payroll tax to practices with contractor GPs.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input type="checkbox"/> Published <input checked="" type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Cc: [REDACTED]
Subject: FOI REQUEST-CMTEDDFOI 2024-054
Date: Monday, 26 February 2024 10:55:09 AM
Attachments: [image001.png](#)

Dear CMTEDD FOI Team,

Under the FOI Act I would like to be supplied with all documents relating to modelling and assumptions around expected receipts from the extension of payroll tax to practices with contractor GPs, including those which informed the estimate that the application of payroll tax to contractor GPs could raise \$5m, made in a brief to the Treasurer and Minister for Health dated 23 August 2023.

Yours sincerely,





ACT
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Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-054



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 26 February 2024, in which you sought access to:

“all documents relating to modelling and assumptions around expected receipts from the extension of payroll tax to practices with contractor GPs, including those which informed the estimate that the application of payroll tax to contractor GPs could raise \$5m, made in a brief to the Treasurer and Minister for Health dated 23 August 2023”

Authority

I am an 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.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 11 April 2024.

Consultation

Under section 46(1)(a) of the Act, before refusing to deal with your application, CMTEDD was required to provide you, in writing, the grounds for the refusal, and (b) provide you with a reasonable opportunity to consult with CMTEDD and provide any additional information that is relevant. CMTEDD was also required to provide any information that may assist you in making an application in a form that would remove the grounds for refusal.

In accordance with section 46(1)(b), the consultation period as outlined in the Act is 10 days from the day after the notice was provided to you, meaning the consultation period has now expired. I note that my office has not had a response from your office.

I am satisfied that my office has made all reasonable attempts to assist you in making an application that would remove the grounds for refusal.

Decision on access

I have decided to refuse to deal with your access application under section 35(1)(d) of the Act, because, in accordance with section 43(f) *an earlier access application for the same government information—*

- (i) was made in the 12 months before the application was made; and*
- (ii) access to the information was refused; and*
- (iii) the relevant public interest factors are materially the same as those considered in deciding the earlier application.*

The modelling and assumption information you are seeking was considered in an earlier access application, refer CMTEDDFOI 2023-273, submitted by you on 7 August 2023. This application was decided on 19 September 2023 and some information was partially released.

However, other information, including the information you are seeking in this application (CMTEDDFOI 2024-054), was withheld as it contained information regarding Taxpayers' information and/or Cabinet information and is considered contrary to the public interest to disclose under Schedule 1, section 1.3 and 1.6 of the Act.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2018* processing charges are not applicable for this request as 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 and my decision in response to your access application will be published on the CMTEDD 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 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:

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:

ACT Civil and Administrative Tribunal
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 CMTEDD FOI team on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate
22 March 2024