



ACT

Government

Economic Development

COPY

Ref: 11- Seselja – Supermarket Competition Policy

Mr Zed Seselja MLA
GPO Box 1020
CANBERRA ACT 2601

Dear Mr Seselja

I refer to your application received in this office on 15 September 2011 in which you sought access under the ACT *Freedom of Information Act 1989* (the Act) to all documents relating to the Government, it's Agencies or the Minister with regards to the Supermarket Competition Coordination Committee's Meeting. As discussed with your office on 29 September 2011 the scope of your request was refined to:

- *"My request covers but is not limited to records of correspondence, meetings, telephone conversations, documents on file (including, but not limited to, letters, file notes, emails, media releases, minutes, briefings, submissions, etc) in connection with:*
 - *The minutes of the Committee's meetings dated after 27 August 2010 and the execution of the Supermarket Competition Implementation Plan."*

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

All relevant documents within the Economic Development Directorate have been located, copies of which are attached. I am releasing all of the relevant documents held by the department to you, although I have decided to exempt some material from release.

41 Documents affecting personal privacy

- (1) A document is an exempt document if its disclosure under this Act would involve the unreasonable disclosure of information relating to the personal affairs of any person (including a deceased person)

The exempt material contains information relating to the personal affairs of a third party.

42 Documents subject to legal Professional Privilege.

- (1) A document is an exempt document if it is of such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.
- (2) A document of the kind referred to in section 8 (1) is not an exempt document under subsection (1) of this section only because of the inclusion in the document of matter

that is used or to be used for the purpose of the making of decisions or recommendations referred to in section 8 (1).

The exempt material relates to advice received from the Government Solicitors Office and advice sought from Meyer Vandenberg Lawyers.

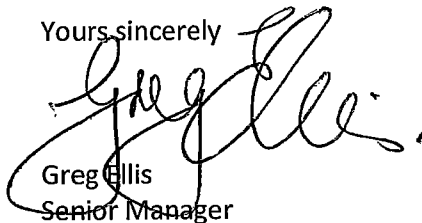
Please note that some information has been excluded because it was out of the scope of the request.

To assist you, I have included a schedule of the documents.

If, in your opinion, you do not believe that all relevant documents in the possession of the Department have been released to you, my decision is appealable and you have a right to seek a review under section 59 of the Act. The review and appeal process provided for in the Act is explained for your information at Attachment A.

Should you have any queries in relation to this matter, please contact Tracey Henry on telephone 6207 3764.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Ellis', is written over the typed name and title.

Greg Ellis
Senior Manager

Land and Property Policy

23 November 2011

Freedom of Information Act 1989 - Review and Appeal Processes

Internal Review

An avenue of appeal is available for any decisions made under Act. This means that if you are dissatisfied with the outcome of your application, you have a right to seek a review under section 59 of the Act. If you wish to seek a review you should write to:

The Director General
Economic Development Directorate
C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You have 28 days from the date of the decision letter to seek a review of the outcome or such other period as the Chief Executive permits.

ACT Civil and Administrative Tribunal

If you are still not satisfied after the agency has conducted an internal review, you can then seek an independent review of the decision by the ACT Civil and Administrative Tribunal (ACAT). You have 28 days from the date of the internal review decision to appeal to the Tribunal. The postal address of the Tribunal is:

ACT Civil and Administrative Tribunal
GPO Box 370
CANBERRA CITY ACT 2601

The Tribunal is located at Level 4, 1 Moore Street, Canberra City ACT 2601. Telephone (02) 6207 1740 or facsimile (02) 6205 4855. The Tribunal is an independent body. It can review a large number of decisions made by ACT Government Ministers, officials and statutory authorities. The Tribunal can agree with, change or reject the original decision, substitute its own decision or send the matter back to the decision-maker for reconsideration in accordance with Tribunal recommendations.

To apply to the Tribunal for a review, write explaining the details of the decision and the reasons for asking for a review. Alternatively, you can obtain an application form from the Tribunal. The form outlines all the information needed by the Tribunal to process a review promptly. There is a fee for lodgement of an appeal with the Tribunal. This fee may be remitted under certain circumstances.

Ombudsman

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 CITY ACT 2601

For further information, please contact the Department's Freedom of Information Officer on 6207 3764