



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 2026-131
Date of Application	16 June 2026
Date of Decision	27 July 2026
Processing time (in working days)	29
Fees	N/A
Decision on Access	Partial Release
Information Requested (summary)	Information relating to FOI request with reference number CMTEDDFOI 2026-086, including information held by any government agency consulted for the purposes of that FOI request, such as the ACT Integrity Commission.
Publication Details	
Original application	☒ Published ☐ N/A
Decision notice	☒ Published ☐ N/A
Documents and schedule	☒ Published ☐ 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](#)
Subject: Access Application under the Freedom of Information Act 2016 - CMTEDDFOI 2026-131
Date: Tuesday, 16 June 2026 9:03:04 PM

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

ATTN: CMTEDD FOI Coordinator

Please accept the following as an access application under section 30 of the *Freedom of Information Act 2016*.

I request access to an electronic copy of all government information held by any government agency relating to FOI request with reference number CMTEDDFOI 2026-086. My request extends to government information held by any government agency consulted for the purposes of that FOI request, such as the ACT Integrity Commission.

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.



FREEDOM OF INFORMATION REQUEST – NOTICE OF INTENT TO REFUSE

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 16 June 2026.

Specifically, you have sought access to the following information:

I request access to an electronic copy of all government information held by any government agency relating to FOI request with reference number CMTEDDFOI 2026-086. My request extends to government information held by any government agency consulted for the purposes of that FOI request, such as the ACT Integrity Commission.

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.

On 25 June 2026, you were sent a clarification request under section 34 of the Act to clarify your requested scope of information. In reply by email on that date you stated:

This is a new access application that seeks government information generated by all stages of processing CMTEDD FOI 2026-86. It is an access application for government information about that access application, including (without limitation) any third-party consultation or assistance given to the information officer who decided the earlier access application.

The scope of this new access application includes government information held by CMTEDD and any other agency, such as the ACT Integrity Commission, about access application CMTEDD FOI 2026-86 (see s 58 of the Act).

Authority

I am an Information Officer appointed by the CMTEDD Director-General 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 is required to provide a decision on your access application within 30 days.

Therefore, a decision is due by **28 July 2026**.

Decision on access

Under section 35(2) of the Act, 'an access application may be decided in more than one way.' Accordingly, I have decided to:

- refuse to deal with part of your request under section 35(10(d)) of the Act;
- advise that no information for part of your request was found under section 35(1)(b) of the Act; and
- to partially release part of the information under section 35(1)(a) of the Act; and redact some of the information under section 35(1)(c) of the Act where the information is contrary to the public interest information.

Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- [the Act](#)
- the information that falls within the scope of your request
- *Human Rights Act 2004*
- *Integrity Commission Act 2018*
- *Financial Management Act 1996*
- *Public Sector Management Act 1994*
- *Information Privacy Act 2014*
- Publicly available information
- Correspondence with you
- ACT Ombudsman Freedom of Information Guidelines (FOI Guidelines)
- CMTEDDFOI 2026-086 – Decision, schedule and documents

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring nondisclosure in **Schedule 2** of the Act.

Decision on access

Searches within CMTEDD records have identified 14 documents in scope of your request.

- I have decided to grant **full access** to three documents.
- I have decided to grant **partial access** to 11 documents.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

Date Range

Your request was received on 16 June 2026; accordingly searches for information include information until 16 June 2026 inclusive, being the date CMTEDD received your request.

Copies

Duplicate copies of information have been removed from the documents, in accordance with FOI Guidelines.

Release of documents

The information being released to you is provided at **Attachment B**.

Refuse to deal with parts of your request

I refuse to deal with part of your access application, under section 35(1)(d) of the FOI Act, because:

- dealing with the application involves dealing with *government information already available to you* under section 43(1)(d) of the Act.
 - some of the information is publicly available (s45(a)), because it is published on CMTEDD's Disclosure Log;
 - part of the information has already been provided to you under the FOI Act (s45(e)).

I refuse to deal with parts of your request where the information is available to you, this includes correspondence received from you and or sent to you by the CMTEDD Freedom of Information Team in processing CMTEDDFOI 2026-086. Furthermore, the information within scope of CMTEDDFOI 2026-086 has been sent to your email address and is therefore available to you. As the information you requested for CMTEDDFOI 2026-086 was decided within the last 12 months, being 16 June 2026, the date CMTEDD received this current access application (CMTEDDFI 2026-131), the information has been published on the 2026 disclosure log and can be found here:

https://www.cmtedd.act.gov.au/_data/assets/pdf_file/0008/3087728/2026-086.pdf

Some of the located information within scope of your request contains links to information published on websites. Accordingly, I refuse to deal with that part of the information as the information is publicly available to you already. An example includes a link to the published current Act of Grace policy.

Another document publicly available to you is a copy of Schedule 1 and Schedule 2 of the Act. This is available to you as part of a public register; the Act is published online on the ACT Legislation Register.

No Information found

Part of your request concerns information as follows: *'My request extends to government information held by any government agency consulted for the purposes of that FOI request, such as the ACT Integrity Commission.'*

For this part of your request, there was no information held by CMTEDD.

Decision on information held

Information held includes emails, Microsoft Teams messages, a briefing paper, and attachments to emails.

Exemptions claimed

Schedule 1: Information taken to be contrary to the public interest

My reasons for deciding not to grant access to the information or components of information found are as follows:

- *Section 1.3 - Information disclosure of which is prohibited under law.*

As set out in decision CMTEDD FOI 2026-086, the Act of Grace (AoG) payment was made under section 130 of the *Financial Management Act 1996*. You have requested information that would, or could, be reasonably likely to identify witnesses who gave evidence and or produced material before the ACT Integrity Commission. I have withheld information that may, or is reasonably likely to, identify a recipient of an AoG payment related to legal expenses connected to appearing as a witness and or producing documents before the ACT Integrity Commission. Releasing this information would be contrary to several laws, including the *Integrity Commission Act 2018*, and the Territory Privacy Principles under the *Information Privacy Act 2014*.

Some of your requested information concerns section 12 of the *Human Rights Act 2004*, as some of the information concerns personal privacy of an individual. In this respect, while a corporation is not a natural person, individual names of individuals are included in the information and therefore the identity of witnesses is likely to be ascertained. Committing an offence knowingly, disclosing information to you unlawfully, would also be a breach of the *Public Sector Management Act 1994* (PSM Act). Section 9 of the PSM Act, which sets out the duties of a public servant. This includes section 9(1)(d) of the Act, a public servant must not:

without lawful authority—

(i) disclose confidential information gained through the public servant's job; or

Note The [Crimes Act 1900](#), s 153 (1) makes it an offence for a public servant to disclose information that it is the public servant's duty not to disclose.

It is noted that you have requested a merits review with the ACT Ombudsman regarding the processing of CMTEDDFOI 2026-086. Much of the information in scope of your current application has been provided to the Ombudsman for the merits review of CMTEDDFOI2026-086. Accordingly, I have considered Schedule 1, section 1.12, *Information in possession of the Ombudsman*, when making a decision on disclosure. However, as you already have much of the information and considering the intent of this provision, I have chosen to not rely on it when deciding on release of information in this instance. While I have considered this additional provision, **I have only applied schedule 1, section 1.3 of the Act to the material**. The relevant parts being:

(6) Any other information the disclosure of which is prohibited by a secrecy provision of a law.

(7) In this section:

***secrecy provision*—a provision of a law is a *secrecy provision* if it—**

(a) applies to information obtained in the exercise of a function under the law; and

(b) prohibits people mentioned in the provision from disclosing the information, whether the prohibition is absolute or subject to stated exceptions or qualifications.

The schedule identifies the documents where I have partially redacted material under schedule 1, section 1.3 factors under the Act.

Public Interest Test

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Schedule 2: Factors to be considered when deciding the public interest

Taking into consideration the information within scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure (Section 2.1)

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government’s accountability.*
- *Section 2.1(a)(iii) - inform the community of the government’s operations, including policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*
- *Section 2.1(a)(vii) - advance the fair treatment of individuals and other entities in accordance with the law in their dealings with the government.*

You have requested information about the processing of a freedom of information access application by CMTEDD. Accordingly, I am satisfied that the release of information within scope of your request may enhance the government’s accountability, and inform the community of the government’s operations, and advance the fair treatment of those dealing with the law.

While the factor favouring disclosure under sch 2, s 2.1(a)(vii) of the Act - disclosure could reasonably be expected to advance the fair treatment of individuals and other entities in accordance with the law in their dealings with the government – I have considered the FOI Guidelines referencing *Gapsa and Department of Transport and Main Roads (Unreported, Queensland Information Commissioner, 6 September 2013)*, and that the Queensland Information Commissioner has noted that there is no requirement for a decision-maker to ensure that the applicant be subjectively satisfied that they received fair treatment in order for this factor to apply. I am reasonably satisfied that the information being released may provide you with contextual information concerning how your access application was managed and processed.

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

Factors favouring nondisclosure (Section 2.2)

- *Section 2.2(a)(ii) - prejudice the protection of an individual’s right to privacy or any other right under the Human Rights Act 2004 [(HR Act)].*
- *Section 2.2(a)(iv) - impede the administration of justice generally, including procedural fairness.*

Where an applicant has requested access to personal information that is not their own, the applicant’s identity, circumstances, and reasons for seeking access may be taken into account for the purpose of the public interest test.

You have made an anonymous access application. As you have requested access to personal information that is not your own, your identity, circumstances, and reasons for seeking access may be taken into account for the purpose of the public interest test.

Having reviewed the information, I consider that the protection of an individual's right to privacy, is a significant factor. Release of information concerning individuals working within the ACT Public Service is generally not considered to prejudice the protection of an individual's right to privacy. I have redacted some information where it could or would reasonably be expected to prejudice an individual's right to privacy under the *Human Rights Act 2004* (HR Act), particularly section 12 of the HR Act. I have decided to redact images of staff in copies of Microsoft Teams messages on the same basis. I have also redacted names of non-ACT Government persons under this factor.

Section 12(a) of the HR Act provides that everyone has the right 'not to have his or her privacy, family, home or correspondence interfered with unlawfully or arbitrarily'. In this respect, CMTEDD has redacted information that identifies individuals, where the identification of those individuals is likely to reveal names of individuals who are witnesses and or produced documents before the ACT Integrity Commission, as outlined above. While it is public knowledge that the AoG Payments were made in response to an AoG application, the recipients of the money have not been publicly identified, in accordance with section 30 of the *Financial Management Act*.

Having applied the test outlined in section 17 of the Act and deciding that release of some information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request. I am satisfied that redacting personal information as well as redacting information that I have deemed to be contrary to the public interest information will uphold the objects of the Act.

Additional Information

Information about FOI requests is published by CMTEDD here:

https://www.cmtedd.act.gov.au/data/assets/pdf_file/0008/1144988/Guidance-on-Freedom-of-Information-Requests.pdf

The ACT Ombudsman Guidelines on Freedom of Information requests are published on their website, which you can find here:

[FOI Guidelines | ACT Ombudsman](#)

Charges

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

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 will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

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 provided to you, 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 at:

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 at:

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 the CMTEDD FOI Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



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

27 July 2026



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST

Reference No.

Revised scope:

This is a new access application that seeks government information generated by all stages of processing CMTEDD FOI 2026-86. It is an access application for government information about that access application, including (without limitation) any third-party consultation or assistance given to the information officer who decided the earlier access application.

The scope of this new access application includes government information held by CMTEDD and any other agency, such as the ACT Integrity Commission, about access application CMTEDD FOI 2026-86 (see s 58 of the Act).

CMTEDDFOI 2026-131

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-7	Email chain – subject concerns: CMTEDDFOI 2026-086 - Freedom of Information Document Search	14/04/2026-05/05/2026	Full		Yes
2	8-14	Email chain – subject concerns: CMTEDDFOI 2026-086 - Freedom of Information Document Search – returned search	06/05/2026	Partial	Copy Sch 1, s 1.3	Yes
3	15-18	Email chain – with third party	22/05/2026-19/06/2026	Partial	outside scope Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
4	19	Converted excel document – document search table – ‘Index’	undated	Partial	Sch 1, s 1.3	Yes
5	20-22	Email – third party consultation	22/05/2026	Partial	Copy Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
6	23	Third party fact sheet	August 2019	Full		Yes
7	24	Email – read receipt – from third party	22/05/2026	Partial	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
8	25	Email – delivered receipt	22/05/2026	Partial	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
9	26	Email – delivered receipt	22/05/2026	Partial	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
10	27-29	Email chain – with third party	16/06/2026	Partial	Copy Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
11	30-32	Email chain, subject: RE: CMTEDDFOI 2026-086 - Draft Decision- Due Wednesday 17 June 2026	12/06/2026-16/06/2026	Full	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes

12	33-35	Notice of Decision Letter to third party	16/06/2026	Partial	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
13	36-41	Briefing paper	11/06/2026	Partial	Sch 1, s 1.3 Sch 2, s 2.2(a)(ii)	Yes
14	42	Microsoft Teams messages	13/04/2026- 16/06/2026	Partial	Sch 2, s 2.2(a)(ii)	Yes
Total No of Docs						
14						

From: [CMTEDD FOI](#)
To: [Treasury Coord](#)
Cc: [Stuart, Katharine](#); [Wong, Nicole](#); [Birkett, Joice](#); [CMTEDD FOI](#)
Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026-OVERDUE
Date: Tuesday, 5 May 2026 10:19:21 AM

OFFICIAL: Sensitive - Personal Privacy

Good morning Team,

Can the document search return please be escalated. The response date on this request is fast approaching.

Kind regards

Lisa Kramarzewski

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Sent: Wednesday, 29 April 2026 2:17 PM
To: Treasury Coord <TreasuryCoord@act.gov.au>
Cc: Hotham, Emma <Emma.Hotham@act.gov.au>; Stuart, Katharine <Katharine.Stuart@act.gov.au>; Wong, Nicole <Nicole.Wong@act.gov.au>; Birkett, Joice <Joice.Birkett@act.gov.au>; CMTEDD FOI <CMTEDDFOI@act.gov.au>
Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026-OVERDUE

OFFICIAL: Sensitive - Personal Privacy

Hi Team,

Thanks for the update.

Kind regards

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Treasury Coord <TreasuryCoord@act.gov.au>

Sent: Wednesday, 29 April 2026 2:03 PM

To: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Cc: Hotham, Emma <Emma.Hotham@act.gov.au>; Stuart, Katharine <Katharine.Stuart@act.gov.au>; Wong, Nicole <Nicole.Wong@act.gov.au>; Birkett, Joice <Joice.Birkett@act.gov.au>

Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026-OVERDUE

OFFICIAL: Sensitive - Personal Privacy

Hi Lisa

Sincere apologies for the delay.

We've awaiting the Under Treasurer to conduct a final check for any further documents and will then seek DUT and UT clearances. The UT is very busy with the Budget at the moment.

We will get this to you ASAP.

Kind Regards

Narelle Cross

Coordination Manager

Phone: +61 2 6205 2093 | Email: narelle.cross@act.gov.au

Office of The Under Treasurer | Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

Level 1, 220 London Circuit | GPO Box 158, Canberra ACT 2601 | www.act.gov.au

Please note I currently work 9:30am-2:30pm Mon-Thurs and 9am-2pm Fri.

Managing work flexibly – I may send and respond to emails out of hours – there is no expectation on you to do the same.

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Wednesday, 29 April 2026 1:44 PM

To: CMTEDD FOI <CMTEDDFOI@act.gov.au>; Treasury Coord <TreasuryCoord@act.gov.au>

Cc: Hotham, Emma <Emma.Hotham@act.gov.au>; Stuart, Katharine <Katharine.Stuart@act.gov.au>

Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026-OVERDUE

OFFICIAL: Sensitive - Personal Privacy

Good afternoon,

I am following up on this request below as the document search response is still overdue.

Kind regards

Lisa Kramarzewski

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Friday, 24 April 2026 1:47 PM

To: Treasury Coord <TreasuryCoord@act.gov.au>

Cc: Hotham, Emma <Emma.Hotham@act.gov.au>; Stuart, Katharine <Katharine.Stuart@act.gov.au>; CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026-OVERDUE

OFFICIAL: Sensitive - Personal Privacy

Good afternoon,

I am following up on this document search that is overdue.

Kind regards

Lisa Kramarzewski

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Tuesday, 14 April 2026 12:19 PM

To: Treasury Coord <TreasuryCoord@act.gov.au>

Cc: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026

OFFICIAL: Sensitive - Personal Privacy

Good afternoon team,

CMTEDD Freedom of Information Team received the attached freedom of information (FOI) request for information held by CMTEDD. Specifically, the applicant

is seeking access to the following:

Scope of FOI application

- [see attachment for full scope]

Background

The ACT Integrity Commission ('Commission') Annual Report 2024-25, at page 105, discloses that the Commission incurred during FY25 \$55,000 in expenditure for act of grace payments. A supporting note states that this involved one act of grace payment 'to support the legal expenses for a witness that appeared before the Commission' and that '[a]s the witness was not a current or former ACT Public Servant, they were not otherwise entitled to receive legal representation paid for by the ACT Government'.

Commission annual reports since 2020-21 disclose that the Commission knows that a regulation has not been made prescribing for sections 171 and 172 of the Integrity Commission Act 2018 ('IC Act') witnesses entitled to payment for legal assistance or reimbursement of expenses.

Information released under a prior FOI request with reference number CMTEDDFOI 2024-237, at page 31 of the PDF, identifies a ministerial brief directed to the Chief Minister with reference number CMTEDD2024/2865 titled 'Act of Grace Payment for Non-Government Witness legal expenses incurred in relation to Integrity Commission proceedings' [sic].

Access Application

I request access to an electronic copy of all government information held by the Chief Minister, Treasury and Economic Development Directorate ('CMTEDD') about:

- *act of grace payment/s for legal representation or witness expenses incurred by any non-government witness related to functions of the Commission*
- *specific payment/s of public money for the benefit of any witness not otherwise entitled receive ACT Government financial assistance related to functions of the Commission, irrespective of whether a payment occurred*
- *payment for legal representation or witness expenses incurred by non-government witness related to functions of the Commission generally, excluding information that is only about (a) development of regulations for sections 171 and 172 of the IC Act; or, (b) conducting, responding to or generally implementing the 'Govey' review.*

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.

The scope of this access application does not include:

- *government information held by the Commission or Inspector of the Commission*
- *information that would identify an individual, that is, a natural person, to the extent this can be deleted from a record containing government information—noting at the same time that legal people such as corporations do not have human rights such as privacy rights.*

Your business area has been identified as a relevant area of CMTEDD to undertake the searches to locate any information within the scope of the request.

What do you need to do?

1. Complete searches of your records
 - You are only required to search for information **held by your area** which falls **within the scope of the request**.
 - All electronic and non-electronic record keeping databases, systems and files should be searched.
 - If you believe **this request should be supplied to another area of CMTEDD, or, another Directorate** – please advise as soon as possible.
2. Complete the below table
 - If **no information is located** within the scope of the request - please provide a “nil” response.
 - The FOI team rely on the advice of our business units as subject matter experts on the material within scope.
3. Respond to this request, including any identified records, and the completed table.
 - Information can be returned via TRIM, Objective, Objective Connect or email.

-

Due date

Your response to this request is due **21 April 2026**.

-

This due date is set to ensure that statutory timeframes under the *Freedom of Information Act 2016* are met. The Information Access Team appreciates your timely response.

If you are unable to meet this due date or have concerns about the scope of the request, please contact the Freedom of Information Coordinator as soon as possible to discuss. The contact details for the FOI Coordinator are below:

FOI Coordinator: Lisa Kramarzewski
Reference number: CMTEDDFOI 2026-086
Contact number: 02 6207 7754

Business Area Response – TO COMPLETE		
Action Required	Action completed? Yes/No/Nil	Additional Comments

1. Have you completed comprehensive searches of all relevant databases and in accordance with the search guidance at the bottom of this table?		
2. Have you identified any information within the scope of the request that is available to the applicant for a fee or is publicly available. If yes, please state which information and provide a link to where the applicant can purchase/access this information.		
3. Have you identified all records that are relevant to the scope of this request?		
4. Should this request be forwarded to: a. Any other business areas within CMTEDD? b. Another Directorate?		
5. Does the identified information contain any details or information about any external parties who may need to be consulted about the release of any the information?		
6. Have you provided concerns or sensitivities about the potential release of the information identified as within scope?		

<i>Note – you must advise of any concerns or sensitivities contained within the identified information. This information is relied upon to make clear, evidence-based recommendations in accordance with the FOI Act.</i>		
7. Has the relevant Executive Branch or Executive Group Manager cleared access request?		
8. Minister/s for relevant portfolio/s?		
<u>SEARCH GUIDANCE</u> * Information can include, but is not limited to, the following (in electronic or non-electronic forms and in draft or final forms): <i>Notes and correspondence; records of meetings and telephone conversations; files; emails; Cisco Jabber files; Teams Message logs; media releases; minutes; briefings; meeting minutes; submissions; invitations; tenders; external consultation documentation; contracts; notebooks; diaries; photos; sound and visual recordings; maps; diagrams; drawings; and plans.</i>		

Kind regards

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: [Treasury Coord](#)
To: [CMTEDD FOI](#)
Cc: [Campbell, Russ](#); [Wong, Nicole](#); [Birkett, Joice](#)
Subject: RE: CMTEDDFOI 2026-086 - Freedom of Information Document Search - due 21 April 2026
Date: Wednesday, 6 May 2026 1:59:09 PM
Attachments: [CMTEDDFOI 2026-086 Original request.pdf](#)
[image001.png](#)
[image002.png](#)

OFFICIAL: Sensitive - Personal Privacy

Good afternoon Lisa

As discussed, the Under Treasurer has cleared the below table and provided his approval for the documents saved  [here](#) to be provided to CMTEDD FOI.

We have PDF'd all emails and prepared an index with comments and link to the documents for easy reference. The index is available here  [Index.xlsx](#). Please note that the attachments in the emails need to be double-clicked to be viewed.

Business Area Response – Treasury		
Action Required	Action completed? Yes/No/Nil	Additional Comments
1. Have you completed comprehensive searches of all relevant databases and in accordance with the search guidance at the bottom of this table?	Yes	
2. Have you identified any information within the scope of the request that is available to the applicant for a fee or is publicly available. If yes, please state which information and provide a link to where the applicant can purchase/access this information.	No	
3. Have you identified all	Yes	

records that are relevant to the scope of this request?		
4. Should this request be forwarded to: a. Any other business areas within CMTEDD? b. Another Directorate?	Yes	Office of the Industrial Relations and Workplace Relations on further details regarding section 171 of the <i>Integrity Commission Act 2018</i> .
5. Does the identified information contain any details or information about any external parties who may need to be consulted about the release of any the information?	Yes	Please consult externally with Sch 1 1.3
6. Have you provided concerns or sensitivities about the potential release of the information identified as within scope? <i>Note – you must advise of any concerns or sensitivities contained within the identified information. This information is relied upon to make clear, evidence-based recommendations in accordance with the FOI Act.</i>	Yes	This request relates to an act of grace matter concerning a corporate entity (non-natural person). <u>Concerns:</u> ACTGS advice is subject to legal professional privilege, and it and its contents should not be disclosed to any other person without the approval of the Solicitor-General for the ACT.
7. Has the relevant Executive Branch or Executive Group Manager cleared access request?	Yes	
8. Minister/s for relevant portfolio/s?	Treasurer, Speaker	

SEARCH GUIDANCE

* Information can include, but is not limited to, the following (in electronic or non-electronic forms and in draft or final forms):

Notes and correspondence; records of meetings and telephone conversations; files; emails; Cisco Jabber files; Teams Message logs; media releases; minutes; briefings; meeting minutes; submissions; invitations; tenders; external consultation documentation; contracts; notebooks; diaries; photos; sound and visual recordings; maps; diagrams; drawings; and plans.

Kind Regards

Narelle Cross

Coordination Manager

Phone: +61 2 6205 2093 | Email: narelle.cross@act.gov.au

Office of The Under Treasurer | Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 1, 220 London Circuit | GPO Box 158, Canberra ACT 2601 | www.act.gov.au

Please note I currently work 9:30am-2:30pm Mon-Thurs and 9am-2pm Fri.

Managing work flexibly – I may send and respond to emails out of hours – there is no expectation on you to do the same.

copy

copy

copy

copy

copy

outside scope¹⁵

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Tuesday, 16 June 2026 5:59 PM

To: Sch 1 s 1.3, Sch 2.2(a)(ii) >

Cc: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: CMTEDDFOI 2026-086- Freedom of Information –Freedom of Information Request - Third party decision letter

You don't often get email from cmteddfoi@act.gov.au. [Learn why this is important](#)

OFFICIAL

Good afternoon

Please see the attached decision letter relating to third party consultation for a Freedom of Information request.

Regards

Freedom of Information Coordinator

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Sent: Friday, 22 May 2026 5:04 PM

To: Sch 1 s 1.3, Sch 2.2(a)(ii)

Cc: CMTEDD FOI <CMTEDDFOI@act.gov.au>

Subject: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation
- Sch 1 1.3 - Attention: Sch 1 s 1.3, Sch 2.2(a)(ii)

OFFICIAL

Good afternoon

CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation

I am writing to tell you that our agency received an access application under the *Freedom of Information Act 2016 (FOI Act)*, and seek your views on the public release of government information identified through this process which may concern Sch 1 s 1.3

The information is attached as (**Attachment A**).

Details of application

- Date of application: 9 April 2026
- Information requested (Scope):

Background

The ACT Integrity Commission ('Commission') Annual Report 2024-25, at page 105, discloses that the Commission incurred during FY25 \$55,000 in expenditure for act of grace payments. A supporting note states that this involved one act of grace payment 'to support the legal expenses for a witness that appeared before the Commission' and that '[a]s the witness was not a current or former ACT Public Servant, they were not otherwise entitled to receive legal representation paid for by the ACT Government'.

Commission annual reports since 2020-21 disclose that the Commission knows that a regulation has not been made prescribing for sections 171 and 172 of the Integrity Commission Act 2018 ('IC Act') witnesses entitled to payment for legal assistance or reimbursement of expenses.

Information released under a prior FOI request with reference number CMTEDDFOI 2024-237, at page 31 of the PDF, identifies a ministerial brief directed to the Chief Minister with reference number CMTEDD2024/2865 titled 'Act of Grace Payment for Non-Government

Witness legal expenses incurred in relation to Integrity Commission proceedings' [sic].

Access Application

I request access to an electronic copy of all government information held by the Chief Minister, Treasury and Economic Development Directorate ('CMTEDD') about:

- *act of grace payment/s for legal representation or witness expenses incurred by any non-government witness related to functions of the Commission*
- *specific payment/s of public money for the benefit of any witness not otherwise entitled receive ACT Government financial assistance related to functions of the Commission, irrespective of whether a payment occurred*
- *payment for legal representation or witness expenses incurred by non-government witness related to functions of the Commission generally, excluding information that is only about (a) development of regulations for sections 171 and 172 of the IC Act; or, (b) conducting, responding to or generally implementing the 'Govey' review.*

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.

The scope of this access application does not include:

- *government information held by the Commission or Inspector of the Commission*
- *information that would identify an individual, that is, a natural person, to the extent this can be deleted from a record containing government information—noting at the same time that legal people such as corporations do not have human rights such as privacy rights.*

Opportunity to make a submission

I invite you to tell me of any objection you may have to the disclosure of any of the attached information. If you object, it is important that you explain why and what impact disclosure could have on **Sch 1 s 1.3**. Supporting evidence may also be helpful.

You should be aware that information will be released unless it is found to be contrary to the public interest information under the FOI Act. This will be the case if the decision-maker decides that:

- it falls within one of the categories of information included in Schedule 1 of the FOI Act, or
- when considering the factors for and against disclosure outlined in Schedule 2, on balance, it would be contrary to the public interest to release the information.

I have included copies of Schedules 1 and 2 of the FOI Act which you may wish to consider when explaining any objections (**Attachment B**). Further information about these Schedules is available in the Guidelines issued by the ACT Ombudsman, available at [Freedom of Information | ACT Ombudsman](#).

What will happen next

While your comments will be taken into account, the final decision about whether to release the information rests with the decision-maker in our agency.

If the decision-maker decides to disclose the information contrary to your submissions, we will give you written notice of the decision and you will have the opportunity to seek a review of the decision by the ACT Ombudsman before that information is disclosed.

Disclosure log

Please note that section 28 of the FOI Act requires publication of access applications and any information subsequently released on our [disclosure log](#).

This means that if access to the information is granted, it will also be made publicly available on

our website **unless** the access application is an application for your personal, business, commercial, financial or professional information.

How to make your submission

Please send us your comments in writing by **5 June 2026** to CMTEDDFOI@act.gov.au. If no response is received by this date, the decision-maker will assume you do not object to the release of the information.

To discuss this matter further or raise any questions, please contact the Freedom of Information Coordinator on 6207 7754 or send an email to CMTEDDFOI@act.gov.au with the subject heading **CMTEDDFOI 2026-086**.

Kind regards

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

No.	Name of Doc	Comments for CMTEDD FOI
1	FW: act of grace request (AOG) - 24 May 2024	Treasury internal emails
2	RE act of grace request (AOG) - 24 May 2024	Treasury internal emails
3	RE act of grace request (AOG) (1) - 29 May 2024	Treasury internal emails
4	RE Act of Grace Meeting - 4 June 2024	Legal Advice - non-release
5	Teams message - 5 June 2024	Teams message with OIRWS (Lisa Carmody)
6	FW For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter - 25 June 2024	Consult with OIRWS - CMTEDD2024/1480
7	FW For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter (1) - 26 June 2024	Consult with OIRWS - CMTEDD2024/1480
8	RE For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter (3) - 27 June 2024	Consult with OIRWS - CMTEDD2024/1480
9	RE For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter - 27 June 2024	Consult with OIRWS - CMTEDD2024/1480
10	RE For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter (1) - 27 June 2024	Consult with OIRWS - CMTEDD2024/1480
11	RE For Review and Comment Legal Assistance and Act of Grace Payment in Integrity Commission Matter (5) - 9 July 2024	Consult with OIRWS - CMTEDD2024/1480
12	FW Ready for DDG Clearance See DDG Queries CMTEDD2024 2865 Ministerial Brief - Act of Grace Payment for Non-Government Wit - 9 July 2024	Consult with OIRWS - CMTEDD2024/1480
13	Fwd Copy of brief - 16 July 2024	Consult with OIRWS - CMTEDD2024/2865
14	RE Copy of brief - 17 July 2024	Consult with OIRWS - CMTEDD2024/2865
15	FW Copy of brief - 26 July 2024	Consult with OIRWS - CMTEDD2024/2865
16	FW Act of Grace Payment for Sch 1 s 1.3 - 5 August 2024	Consult with Integrity Commission if required / Treasury Internal email
17	FW Act of Grace Payment Sch 1 s 1.3 9 August 2024	Consult with Integrity Commission if required
18	RE Act of Grace Payment Sch 1 s 1.3 9 August 2024	Consult with Integrity Commission (same trail as no. 17 email)
19	FW Act of Grace Payment Sch 1 s 1.3 (1) - 9 August 2024	Legal Advice Request - non-release?
20	RE report of all upcoming briefs and corro - 22 August 2024	Potentially redact non-relevant information.
21	report of all upcoming briefs and corro 29 August 2024	Consult with Integrity Commission if required
22	FW FOI Request - Information Brief titles - Request for act of grace payment - 10 Sept 2024	FOI request
23	FW Act of Grace Payment Sch 1 s 1.3 - 13 Sept 2024	Consult with Integrity Commission if required
24	FW ACTIC - Act of Grace Request Sch 1 s 1.3 - 17 Sept 2024	Consult with Integrity Commission if required
25	RE HPRM Notification - Action Made Current. Clearance through UT - CMTEDD20241480 - Ministerial Correspondence - Barr - Commissi - 31 Jan 2025	Consult with Integrity Commission if required
26	RE ACTIC - Act of Grace Request Sch 1 s 1.3 - 19 March 2025	Consult with Integrity Commission if required
27	FW ACTIC - Act of Grace Request Sch 1 s 1.3 - 19 March 2025	Consult with Integrity Commission if required
28	FW CMTEDD2024 1480 GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Ministerial Brief & Corres - Barr - C - 7 April 2025	Consult with OIRWS - CMTEDD2024/1480
29	RE Sch 1 s 1.3 - Costs payment Sch 1 s 1.3 - 7 April 2025	Consult with Integrity Commission if required
30	FW Sch 1 s 1.3 - Costs payment Sch 1 s 1.3 - 7 April 2025	Consult with Integrity Commission if required
31	TRIM CMTEDD2024/1480	Consult with OIRWS - CMTEDD2024/1480

From: [CMTEDD FOI](#)
To: Sch 1 s 1.3, Sch 2.2(a)(ii)
Cc: [CMTEDD FOI](#)
Subject: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation - Attention: Sch 1 s 1.3, Sch 2.2(a)
Date: Friday, 22 May 2026 5:04:04 PM
Attachments: [Attachment A- Document.pdf](#)
[Attachment B-Schedules 1 and 2.pdf](#)
[Third Party Information Factsheet.pdf](#)

copy

copy

copy

THIRD PARTY CONSULTATION

Chief Minister, Treasury and Economic Development Directorate (CMTEDD)

FOI FACTSHEET

Introduction

The *Freedom of Information Act 2016* gives people a right to access ACT government information unless access to the information is not in the public interest.

Why has CMTEDD written to me?

Someone has requested information which may concern you because it:

- 1) is personal information about you; or
- 2) could affect your rights under the *Human Rights Act 2004*; or
- 3) affects your business affairs, trade secrets or research.

CMTEDD is obliged to consult with you and seek your views, before deciding on whether to give the applicant access to the information.

What do I need to do?

CMTEDD has provided, for your review, the information which may be of concern to you. If you:

- 1) **don't object** to its release, you can write to CMTEDD stating you have no objection.
- 2) **do object**, you will need to write to CMTEDD, outlining your concerns and explain why you do not want the information released. You should state how the release of the information will impact you or your business. You may object to all or some of the information being released. CMTEDD will consider your views but it makes the final decision concerning the release in accordance with the requirements of the Act.

What are some examples of how release of the information may impact me or my business?

The release of the information could:

- > reveal personal information about you.
- > reveal any religious or other beliefs you may hold.

- > expose you or your family to serious harassment, intimidation or endanger your life or safety.
- > reveal false information or unsubstantiated allegations about you.
- > result in the disclosure of a methodology which could negatively impact your business.
- > reveal commercially sensitive information which could undermine your business' competitiveness.

When do I need to respond to CMTEDD by?

As soon as possible and at the latest, by the date stated in our letter to you. If you don't respond by the due date it is assumed that you have no objection to the release of the information.

Can CMTEDD tell me who the applicant is?

No, CMTEDD cannot reveal the identity of the applicant.

How will I be notified of CMTEDD's decision?

CMTEDD will send you a decision letter which will include reasons for its decision and information on your review rights.

Who else will see my information?

If CMTEDD decides to release your information to the applicant, it has no further control over the information. In some instances, the information will also be published on the CMTEDD disclosure log.

Further Information

Further information on this factsheet can be obtained from the Information Access Team within CMTEDD.

Email: CMTEDDFOI@act.gov.au

Phone: (02) 6207 7754

From: [Sch 1 s 1.3, Sch 2 s 2]
To: [CMTEDD FOI](#)
Subject: Read: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation [Sch 1 s 1.3]
- Attention: [Sch 1 s 1.3, Sch 2 s 2]
Date: Friday, 22 May 2026 5:08:48 PM

Your message

To: [Sch 1 s 1.3, Sch 2 s 2]
Subject: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation [Sch 1 s 1.3] Attention: [Sch 1 s 1.3]
Sent: Friday, May 22, 2026 5:03:57 PM (UTC+10:00) Canberra, Melbourne, Sydney
was read on Friday, May 22, 2026 5:08:24 PM (UTC+10:00) Canberra, Melbourne, Sydney.

From: [Microsoft Outlook](#)
To: [CMTEDD FOI](#)
Subject: Delivered: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation -
Sch 1 s 1.3 - Attention: Sch 1 s 1.3, Sch 2.2
Date: Friday, 22 May 2026 5:05:37 PM
Attachments: [CMTEDDFOI 2026-086- Freedom of Information Invitation for Third Party Consultation - Sch 1 s 1.3 -](#)
[Attention Sch 1 s 1.3, Sch 2.2](#).msg

Your message has been delivered to the following recipients:

CMTEDD FOI (CMTEDDFOI@act.gov.au)

Subject: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation - Sch 1 s 1.3 Attention: Sch 1 s 1.3, Sch 2.2

From: Sch 1 s 1.3
To: Sch 1 s 1.3, Sch 2.2(a)(ii)
Subject: Delivered: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation - Sch 1 s 1.3 - Attention: Sch 1 s 1.3, Sch 2.2(a)(ii)
Date: Friday, 22 May 2026 5:05:38 PM
Attachments: [CMTEDDFOI 2026-086- Freedom of Information Invitation for Third Party Consultation](#) Sch 1 s 1.3
[Attention](#) Sch 1 s 1.3, Sch 2.2(a)(ii).msg

You don't often get email from Sch 1 s 1.3. [Learn why this is important](#) Your message has been delivered to the following recipients:

Sch 1 s 1.3, Sch 2.2(a)(ii)

Subject: CMTEDDFOI 2026-086- Freedom of Information – Invitation for Third Party Consultation Sch 1 s 1.3 Attention: Sch 1 s 1.3, Sch 2.2(a)(ii)

From: [CMTEDD FOI](#)
To: Sch 1 s 1.3, Sch 2.2(a)(ii)
Cc: [CMTEDD FOI](#)
Subject: CMTEDDFOI 2026-086- Freedom of Information –Freedom of Information Request - Third party decision letter
Date: Tuesday, 16 June 2026 5:58:46 PM
Attachments: [Decision letter to Third Party](#) Sch 1 s 1.3 [pdf](#)

OFFICIAL

Good afternoon

Please see the attached decision letter relating to third party consultation for a Freedom of Information request.

Regards

Freedom of Information Coordinator

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

copy

copy

copy

From: [CMTEDD FOI](#)
To: [Stuart, Katharine](#)
Cc: [Kramarzewski, Lisa](#); [Hotham, Emma](#); [CMTEDD FOI](#)
Subject: RE: CMTEDDFOI 2026-086 - Draft Decision- Due Wednesday 17 June 2026
Date: Tuesday, 16 June 2026 5:55:03 PM

OFFICIAL: Sensitive - Personal Privacy

Thanks Katharine.

Kind regards

Lisa

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Stuart, Katharine <Katharine.Stuart@act.gov.au>
Sent: Tuesday, 16 June 2026 5:53 PM
To: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Cc: Kramarzewski, Lisa <Lisa.Kramarzewski@act.gov.au>; Hotham, Emma <Emma.Hotham@act.gov.au>
Subject: RE: CMTEDDFOI 2026-086 - Draft Decision- Due Wednesday 17 June 2026

OFFICIAL: Sensitive - Personal Privacy

Hi Lisa

Thaks for this decision. You do get some very interesting ones! Thanks also for the chat earlier, it definitely helped me.

I have signed this decision and third party letter. You will notice the schedule is in mark up – this is so you can see where I have made changes to the provisions used. These should already be reflected in the binders.

There is also one comment in the letter – just a reminder to double check the count of document release (full, partial) as I may have adjusted some things.

I didn't see any reason legally or otherwise to withhold the integrity commissioner as the applicant for the AOG payment, however I did withhold the recipient.

Thanks again for your work on this.

Katharine

Katharine Stuart (she/her) | Senior Director, Information Management
 Phone: 02 6207 4497 | Email: katharine.stuart@act.gov.au
 Governance, Reporting, Information and Facilities | Corporate
 Chief Minister, Treasury and Economic Development Directorate | ACT Government
 220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | act.gov.au

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Sent: Friday, 12 June 2026 5:10 PM
To: Stuart, Katharine <Katharine.Stuart@act.gov.au>
Cc: Kramarzewski, Lisa <Lisa.Kramarzewski@act.gov.au>; Hotham, Emma <Emma.Hotham@act.gov.au>
Subject: RE: CMTEDDFOI 2026-086 - Draft Decision- Due Wednesday 17 June 2026

OFFICIAL: Sensitive - Personal Privacy

Hi Katharine (& Emma),

Apologies, but there was a typographical error in the subject line of my email – this draft is for **CMTEDDFOI 2026-086**.

Kind Regards,
 Lisa

From: Kramarzewski, Lisa
Sent: Friday, 12 June 2026 5:07 PM
To: Stuart, Katharine <Katharine.Stuart@act.gov.au>
Cc: Hotham, Emma <Emma.Hotham@act.gov.au>
Subject: CMTEDDFOI 2026-084 - Draft Decision- Due Wednesday 17 June 2026

Hi Katharine,
 Emma was listed as the information officer for this request. I have sent this to you as Emma is away.
 If you are not able to be the information officer, can you please let me know and I will change the documents for Emma to be the Information Officer.

There are 173 pages of the documents separated into binders.
 The request concern Act of Grace Payment and application documents.

The material is here:

[\\act.gov.au\chief minister\CMD\Freedom Of Information\Case Management\Active\2026-086\Applicant\03 - Final Documents](#)

Regards,

Lisa

CMTEDD FOI Team

Phone: 02 6207 7754 | CMTEDDFOI@act.gov.au

Chief Minister, Treasury and Economic Development Directorate | **ACT Government**

220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2026-086

Sch 1 s 1.3, Sch 2.2(a)(ii)

via email: Sch 1 s 1.3, Sch 2.2(a)(ii)

Dear [redacted]

FREEDOM OF INFORMATION – NOTICE OF DECISION TO THIRD PARTY

I refer to the email of 22 May 2025 seeking your views on public access to information outlined in the email sent to you on that date in response to an access application submitted to the Chief Minister, Treasury and Economic Development Directorate (CMTEDD), under section 30 of the *Freedom of Information Act 2016* (the Act).

Details of the access application

Date received: 9 April 2026

Information requested:

Background

The ACT Integrity Commission ('Commission') Annual Report 2024-25, at page 105, discloses that the Commission incurred during FY25 \$55,000 in expenditure for act of grace payments. A supporting note states that this involved one act of grace payment 'to support the legal expenses for a witness that appeared before the Commission' and that '[a]s the witness was not a current or former ACT Public Servant, they were not otherwise entitled to receive legal representation paid for by the ACT Government'.

Commission annual reports since 2020-21 disclose that the Commission knows that a regulation has not been made prescribing for sections 171 and 172 of the Integrity Commission Act 2018 ('IC Act') witnesses entitled to payment for legal assistance or reimbursement of expenses.

Information released under a prior FOI request with reference number CMTEDDFOI 2024-237, at page 31 of the PDF, identifies a ministerial brief directed to the Chief Minister with reference number CMTEDD2024/2865 titled 'Act of Grace Payment for Non-Government Witness legal expenses incurred in relation to Integrity Commission proceedings' [sic].

Access Application

I request access to an electronic copy of all government information held by the Chief Minister, Treasury and Economic Development Directorate ('CMTEDD') about:

- *act of grace payment/s for legal representation or witness expenses incurred by any non-government witness related to functions of the Commission*
- *specific payment/s of public money for the benefit of any witness not otherwise entitled receive ACT Government financial assistance related to functions of the Commission, irrespective of whether a payment occurred*

- *payment for legal representation or witness expenses incurred by non-government witness related to functions of the Commission generally, excluding information that is only about (a) development of regulations for sections 171 and 172 of the IC Act; or, (b) conducting, responding to or generally implementing the ‘Govey’ review.*

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.

The scope of this access application does not include:

- *government information held by the Commission or Inspector of the Commission*
- *information that would identify an individual, that is, a natural person, to the extent this can be deleted from a record containing government information— noting at the same time that legal people such as corporations do not have human rights such as privacy rights.*

Authority

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Conclusion of Consultation

Sch 1 s 1.3 was identified as a relevant third party as information considered for public release may reasonably be expected to be of a concern to you.

I am satisfied that a reasonable consultation process has been undertaken and my obligations under section 38 of the Act have been met.

I note you have not submitted a response by the third-party review deadline. I note you have not contested the release of the identified information. However, I note that the request concerns an act of grace payment under section 130 of the *Financial Management Act 1996*, and you have also not expressly consented to the information’s release.

Decision on access

I have applied the public interest test under section 17 of the Act, and it is my determination that disclosure of some of the information captured in this consultation is contrary to public interest. Therefore, I must provide public access to the information for which release is not contrary to public interest.

I have decided to grant **partial access** to the document consulted on within scope this request.

Exemptions claimed

I have redacted the name of Sch 1 1.3 from the document consulted on.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a [disclosure log](#).

This access application and my decision 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 provided to you, 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 at:

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 at:

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 me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



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

16 June 2026

MINUTE



ACT
Government

Chief Minister, Treasury and
Economic Development

Date	11 June 2026	Ref No: CMTEDDFOI 2026-086
To	Katharine Stuart, Information Officer, Information Access Team, CMTEDD	
From	Lisa Kramarzewski, Freedom of Information (FOI) Coordinator, FOI Team	
Subject	Freedom of Information Request from applicant: Anonymous	

Background

On 10 April 2026, the anonymous applicant emailed this office, from strictly-authors-barracks@proton.me, requesting access to information under the *Freedom of Information Act 2016* (the Act). Specifically, the applicant sought access to information with the following scope:

Background

The ACT Integrity Commission ('Commission') Annual Report 2024-25, at page 105, discloses that the Commission incurred during FY25 \$55,000 in expenditure for act of grace payments. A supporting note states that this involved one act of grace payment 'to support the legal expenses for a witness that appeared before the Commission' and that '[a]s the witness was not a current or former ACT Public Servant, they were not otherwise entitled to receive legal representation paid for by the ACT Government'.

Commission annual reports since 2020-21 disclose that the Commission knows that a regulation has not been made prescribing for sections 171 and 172 of the Integrity Commission Act 2018 ('IC Act') witnesses entitled to payment for legal assistance or reimbursement of expenses.

Information released under a prior FOI request with reference number CMTEDDFOI 2024-237, at page 31 of the PDF, identifies a ministerial brief directed to the Chief Minister with reference number CMTEDD2024/2865 titled 'Act of Grace Payment for Non-Government Witness legal expenses incurred in relation to Integrity Commission proceedings' [sic].

Access Application

I request access to an electronic copy of all government information held by the Chief Minister, Treasury and Economic Development Directorate ('CMTEDD') about:

- *act of grace payment/s for legal representation or witness expenses incurred by any non-government witness related to functions of the Commission*

- *specific payment/s of public money for the benefit of any witness not otherwise entitled receive ACT Government financial assistance related to functions of the Commission, irrespective of whether a payment occurred*
- *payment for legal representation or witness expenses incurred by non-government witness related to functions of the Commission generally, excluding information that is only about (a) development of regulations for sections 171 and 172 of the IC Act; or, (b) conducting, responding to or generally implementing the 'Govey' review.*

The scope of this access application extends to government information in any form including, without limitation, documents of any kind; file notes, diary entries and similar; emails; text messages; instant/chat messages (e.g. via MS Teams); meeting and other conversation records.

The scope of this access application does not include:

- *government information held by the Commission or Inspector of the Commission information that would identify an individual, that is, a natural person, to the extent this can be deleted from a record containing government information— noting at the same time that legal people such as corporations do not have human rights such as privacy rights.*

On 24 April 2026, the applicant provided a reply email, in response to the formal acknowledgement email, which included the following:

My access application expressly refers to information within scope that was disclosed through a prior access application by way of a ministerial brief about payments by the Integrity Commission to witnesses.

Additional clarification requests were sent to the applicant under section 34 of the Act and included seeking consent to conduct third party consultation due to the working in the scope of the request. The applicant provided by email the following:

I confirm that I would like to proceed with this access application.

The intention of excluding the names of individuals from the scope of this access application was to limit or avoid the need for third-party consultation with every individual that might be named in the information. If the need for third-party consultation is not changed by excluding names then please regard this information as within scope and deal with it in the ordinary way.

Information searches were sent to the business unit, Treasury, on 14 April 2026. Treasury provided the material after the due date and notes as follows: "Please consult externally with
Sch 1 s 1.3

References to the 'Govey' report by the applicant may be referring to a report by Ian Govey *Report of the Independent Statutory Review of the ACT's Integrity Commission Act 2018*:

[List Chief-Minister IC-Act-Review-Report.PDF](#)

The report was tabled in the Act Legislative Assembly 30 November 2023.

The published response includes the issue being considered in the 11th ACT Legislative Assembly sittings (see page 1).

[Preliminary-Government-Response-to-the-Review-of-the-Public-Interest-Disclosure-Act-2012.docx](#)

The ACT Integrity Commission has its own Information Guidelines: [Integrity Commission \(Information\) Guidelines 2022](#)

The business unit provided documents that identified documents and approvals process for an Act of Grace (AoG) payment request to pay Sch 1 1.3, Sch 2.2(a)(ii)

The FOI applicant refers to information being released under FOI in his scope, but all that was published was the name of a briefing paper, which does not identify Sch 1 1.3, Sch 2.2(a)(ii)

AoG application came from the Sch 1 1.3

not linked publicly with the AoG application or payment.

Section 130 of the *Financial Management Act* 1996 is the relevant provision for AOG payments.

A current [AOG policy](#) is published as part of open access requirements.

Issues

Duplicate information

Material was provided by the business unit, which included information being provided by Treasury that included individuals within Treasury all providing documents separately. While duplicates were identified by Ezescan, other duplicates were manually removed after comparing information within the binders, in particular from parts of Binder 1. For example, two recipients of an email both provided copies of emails that converted to PDF to appear different but were the same emails. Accordingly, duplicates have been excluded in accordance with ACT Ombudsman FOI Guidelines.

Outside scope information

Documents provided within scope of the request include correspondence that is outside scope of the request, where it is held by the ACT Integrity Commission (under the applicant's scope wording), as well as some emails with updates on other topics (i.e. updates on a range of briefing papers).

Third Party Consultation

On 22 May 2026, Third Party consultation commenced. The applicant was made aware of this consultation period by email on 19 May 2025, and of the new decision due date of 17 June 2026. No objections were received from the applicant prior to sending the third party consultation documents. Sch 1 1.3

One third party was consulted on material concerning **Sch 1 1.3**. Their response was required by 2 June 2026. No response has been received to date. The only document consulted on was the financial delegation showing the name and authorised amount. On 22 May 2026, **Sch 1 1.3, Sch 2.2(a)(ii)** sent a 'read email' notification. No response was received, either objecting to, or consenting to, the release of the document consulted on, being the instrument containing the authorization for payment.

Information is exempt from release under schedule 1, section 1.9 of the Act - *Identities of people making disclosures*. It is also contrary to the public interest to release information that would, or could reasonably be expected to, disclose the identity of a person who gives information, produces a document or answers a question in relation to an investigation of a public interest disclosure under the [Public Interest Disclosure Act 2012](#). Information has not been redacted within scope of the request under this factor, especially in circumstances where a company is the named recipient. It may be easier to identify the parties involved in the AoG application on this basis given the low numbers of matters before the ACT Integrity Commission involving high media attention.

Decision on Access

The disclosure of **some** of the information within scope is found **not to be** in the public interest.

It is recommended that the information within scope, be partially released.

It is recommended that a Notice of Decision letter, at [Attachment A](#), be sent to the applicant. The letter sets out the decision and the reasons for the decision. A schedule of documents is at [Attachment B](#). The documents have been separated into three binders. Binder 1 is separated into three parts due to the file size being large, [Attachment C](#), [Attachment D](#), [Attachment E](#). This binder includes information from Treasury. [Attachment F](#) contains binder 2 being information from TRIM. Binder 3 at Attachment G includes TRIM and exempted information removed from the other binders.

It is recommended to redact exempt information under schedule 1, section 1.2 of the Act – legal privilege information (LPP). Some of the material includes information that was provided in obtaining and receiving legal advice, as well as material prepared for the preparation of receiving legal advice, which falls within the LPP exemption.

Some information has been redacted under schedule 1, section 1.3 - Information disclosure of which is prohibited under law. Relevant are sub-sections (6) and (7):

(6) Any other information the disclosure of which is prohibited by a secrecy provision of a law.

(7) In this section:

secrecy provision—a provision of a law is a **secrecy provision** if it—

(a) applies to information obtained in the exercise of a function under the law; and

(b) prohibits people mentioned in the provision from disclosing the information, whether the prohibition is absolute or subject to stated exceptions or qualifications.

This includes information that identifies the applicant and the recipient of the act of grace Payments made under section 130 of the *Financial Management Act 1996* (FMA) as well as the Territory Privacy Principles. Of note, this includes naming the recipient of the Act of Grace payment, as well as identifying the applicant of the payment. Of note the AoG payments are special considerations that must be made in each individual application. For this matter they

relate to payments made relating to the parties' involvement in a matter previously before the ACT Integrity Commission, that also involves unnamed witnesses.

Relevant sections of the FMA include section 130(10):

(10) The notes relating to a payment under this section must not disclose the identity of the payee unless disclosure was agreed to by the payee as a condition of authorising the payment.

Redactions should also be made under schedule 2 of the Act. Information requested includes information that is reasonably likely to be considered at the ACT Legislative Assembly 11th Sittings, including deliberations and information on possible regulations, etc., to be made on possible changes to the AOG laws, rules, policies and procedures. Redactions have been made under schedule 2, section 2.2(a)(ii), as well as several other section 2 factors where it impacts on confidential business information and a deliberative process related to enforcing the law and making applications under the FMA.

It is recommended to only release information that shows the amount paid, as well as procedural information that relates to the AoG payment application process, including the previous AoG policy.

It is recommended to not release information where it is contrary to the public interest to release that information, including information that may be reasonably likely to identify the parties to the AoG application and or identify parties to a matter that was before the ACT Integrity Commission.

The documents also contain information related to possible legislative reform for payment of witness fees and therefore the information is reasonably likely to be prejudicial to a deliberative process of government.

A copy of the notice of decision to the third parties consulted is at [Attachment H](#) informing them of the decision.

The Act requires a decision and response be given within 30 working days of the access application being received. As this matter required third party consultation, the decision due date was extended by 15 working days, in accordance with section 40(2) of the Act.

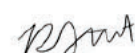
A decision and response are due on **17 June 2026**.

The Act requires access applications be published through the open access scheme unless publication is contrary to public interest. It is recommended that you **publish** your decision letter and the documents within scope.

Recommendation Summary

All steps completed	That you agree that all required steps within the Freedom of Information Team standard operating procedures have been completed.	Agreed
Decision Letter to Applicant	That you sign the decision letter to the applicant informing them that the documents will be partially released .	Agreed
Decision Letter to Third Party	That you sign the decision letter to the third party informing them of the decision outcome.	Agreed
Disclosure Log	That you agree to publish the documents relevant to the applicant's request online in accordance with open access requirements in the Act.	Agreed

Action Officer: Lisa Kramarzewski



Katharine Stuart
Information Officer

16 June 2026

Appendix A

Sch 2 s 2

Neeves, Aaron

Kramarzewski, Lisa (You) Tuesday 10:06 am

disco pack for checking please - no rush - 26-86 \\act.gov.au\chief minister\CMD\Freedom Of Information\Case Management\2026 Closed\2026 - 051-100\2026-086\Applicant\03 - Final Documents\Publication...

Stuart, Katharine

Kramarzewski, Lisa (You) 05/05 1:53 pm

Narelle is in the process of sending over an email with my docs for 86!

Sch 2 s 2(a)(i)

CMTEDD FOI Team chat | You, Hotham, Emma, Johnston, HeatherG, +3

Stuart, Katharine 16/06 9:48 am

Lisa, I am working on 086 and should get to you today.

Hotham, Emma

Kramarzewski, Lisa (You) 12/05 12:08 pm

I've put a draft email in the outlook folder 2026-086 for you to take a look at

Stuart, Katharine

Kramarzewski, Lisa (You) 06/05 2:05 pm

Email is in for 86.

Kramarzewski, Lisa (You)

Hotham, Emma 13/04 9:37 am

...086 - hoping you like this one - it has to do with act of grace payments and the applicant has referenced a previous FOI which will give some context.