



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

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

FOI Reference: CMTEDDFOI 2022-326

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	Yes
5. Fees	Waived
6. Processing time (in working days)	18
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: ABC FOI Request - Act of Grace Payments-CMTEDDFOI 2022-326
Date: Wednesday, 19 October 2022 1:24:39 PM
Attachments: [image002.png](#)
[image003.png](#)

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. [Learn why this is important](#)

Hello,

I write seeking access to documents under the Freedom of Information Act 2016.

I seek information held by the CMTEDD.

Specifically, I seek documents containing

From Jan 1, 2019 until October 19, 2022.

- a. How many Act of Grace Payment requests have there been during this period?
- b. How many have been processed?
- c. How many are active?
- d. How many have been refused?
- e. Of those accepted, how much was each worth?
- f. What is the total amount of payments made during this period?

I feel that the release of this information is strongly in the public interest, and its release supported in the 2016 FOI Act as follows:

(a) Provide a right of access to government information unless access to the information would, on balance, be contrary to the public interest; and

(b) recognise the importance of public access to government information for the proper working of a representative democracy; and

(c) enable the public to participate more effectively in government processes and to promote improved decision-making within government; and

(d) make the people and bodies that are responsible for governing the Territory more accountable to the public; and

(e) ensure that, to the fullest extent possible, government information is freely and publicly available to everyone; and

(f) facilitate and promote, promptly and at the lowest reasonable cost, the disclosure of the maximum amount of government information;

I also note the onus rests with the agency to prove why any information should not be released under the Act and I request the agency provide evidence in support of any assumptions or assertions used to justify non-disclosure.

I also advise the agency I am seeking any available reduction in fees and charges associated with this request as release of the information will: contribute to community understanding on public affairs and inform debate and improve government accountability and transparency. [REDACTED]

If I can assist with the processing of my request, including negotiation of scope, please do not hesitate to contact me.

Yours sincerely,

[REDACTED]

[REDACTED]



[REDACTED]
via email [REDACTED]

Dear [REDACTED]

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 19 October 2022. Specifically, you are seeking:

I write seeking access to documents under the Freedom of Information Act 2016. I seek information held by the CMTEDD. Specifically, I seek documents containing From Jan 1, 2019 until October 19, 2022.

- a) *How many Act of Grace Payment requests have there been during this period?*
- b) *How many have been processed?*
- c) *How many are active?*
- d) *How many have been refused?*
- e) *Of those accepted, how much was each worth?*
- f) *What is the total amount of payments made during this period?*

Authority

I am an Information Officer appointed by the 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 was required to provide a decision on your access application by 16 November 2022. However, you agreed to an extension until 24 November 2022. Thank you for agreeing to this.

Decision on access

A search of CMTEDD records was performed using the information you provided. The information below is what was found in relation to your request:

a)	<i>How many Act of Grace Payment requests have there been during this period?</i>	73
b)	<i>How many have been processed?</i>	59
c)	<i>How many are active?</i>	10

d)	How many have been refused?	34
e)	Of those accepted, how much was each worth?	2019-20-CMTEDD-Annual-Report.pdf
f)	What is the total amount of payments made during this period?	2020-21-CMTEDD-Annual-Report.pdf 2021-22-CMTEDD-Annual-Report.pdf

I have decided to grant full access to the relevant information. In relation to the information, you have sought at e and f, this information is published annually, and the links have been provided in this response. I note that there are some restrictions on what can and cannot be disclosed as per the *Financial Management Act 1996*.

Material considered

In reaching my access decisions, I have taken the following into account:

- the Act,
- *Financial Management Act 1996*,
- the content of the document that falls within the scope of your request.

Charges

Pursuant to the *Freedom of Information (Fees) Determination 2017* (No 2) processing charges are not applicable for this request because the total number of pages to be released to you does not exceed the charging threshold of 50 pages.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log after 3 days after the date of my decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

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 on the 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 at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

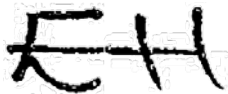
ACT Civil and Administrative Tribunal (ACAT) Review

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
Level 4, 1 Moore St
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,

A handwritten signature in black ink, appearing to be the initials 'EH' with a stylized flourish.

Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

24 November 2022