

s 22

**From:** FOI  
**Sent:** Wednesday, 5 June 2019 2:45 PM  
**To:** Sharp, Clare  
**Cc:** s 22 ; FOI  
**Subject:** FOI/2019/022 and FOI/2019/024 - publication on the disclosure log of documents released to applicants [DLM=For-Official-Use-Only]

**Categories:** s 22

For Official Use Only

Hi Clare

Following the release of some of the documents for these two matters to the respective applicants, the only outstanding question is whether the documents released to those applicants (**attached**) should also be published on the Department’s disclosure log.

I note our previous discussions where we touched on this topic (and our preliminary agreed outcome was not to publish), however for the sake of completeness I would be grateful for your confirmation. Relevant information is below.

**Background**

Under section 11C of the FOI Act, the Department must publish those documents on a publicly available website (referred to as the “disclosure log”), except in certain circumstances, such as where it would be unreasonable to publish personal or business affairs information.

For example, if the applicant requested documents containing their personal or business affairs information, although the Department released those documents to the applicant (on the basis that it’s their own information), it may be unreasonable to also publish those documents on the publicly available disclosure log.

In relation to these FOI requests, we recommend not to publish the documents that were released to the applicants, given the extent of references to personal and business affairs information in the documents, and given

[Redacted] s4  
[Redacted] 7C

&  
s4  
7F

[Redacted]

[Redacted]

We also do not consider it feasible to delete any personal or business affairs information without a risk that what is published may, when combined with other pieces of information, enable the personal and business information to be re-identified.

I would be grateful for your confirmation by **Wednesday 12 June 2019**, that the documents should not be published on the disclosure log.

As always, please feel free to contact me at any time if you would like to discuss further.

Regards

s 22 | Advisor

FOI & Privacy Section

Legal Policy Branch | Government Division

Department of the Prime Minister and Cabinet

s 22

[foi@pmc.gov.au](mailto:foi@pmc.gov.au) | [www.dpmc.gov.au](http://www.dpmc.gov.au)

One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600



**The Department acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters and community. We pay our respect to their Cultures, Country and Elders both past and present.**

s 22

---

**From:** s 22  
**Sent:** Friday, 7 June 2019 4:23 PM  
**To:** FOI  
**Cc:** s 22  
**Subject:** FW: FOI/2019/022 and FOI/2019/024 - publication on the disclosure log of documents released to applicants [DLM=For-Official-Use-Only]

For Official Use Only

Hi s 22,

Clare has confirmed that she agrees to not publish the documents.

Cheers,  
s 22

---

**From:** Sharp, Clare  
**Sent:** Friday, 7 June 2019 3:22 PM  
**To:** s 22  
**Subject:** RE: FOI/2019/022 and FOI/2019/024 - publication on the disclosure log of documents released to applicants [DLM=For-Official-Use-Only]

For Official Use Only

Sorry – yes I agree with the recommended approach not to publish the documents.

Clare

---

**From:** s 22  
**Sent:** Friday, 7 June 2019 3:19 PM  
**To:** Sharp, Clare s 22  
**Subject:** FW: FOI/2019/022 and FOI/2019/024 - publication on the disclosure log of documents released to applicants [DLM=For-Official-Use-Only]

For Official Use Only

Hey Clare,

s 22 reached out and asked whether you've had a chance to consider this. What are your thoughts on publishing?

Cheers,  
s 22

---

**From:** FOI <[FOI@pmc.gov.au](mailto:FOI@pmc.gov.au)>  
**Sent:** Wednesday, 5 June 2019 2:45 PM  
**To:** Sharp, Clare <s 22 >  
**Cc:** s 22 FOI <[FOI@pmc.gov.au](mailto:FOI@pmc.gov.au)>  
**Subject:** FOI/2019/022 and FOI/2019/024 - publication on the disclosure log of documents released to applicants [DLM=For-Official-Use-Only]

## For Official Use Only

Hi Clare

Following the release of some of the documents for these two matters to the respective applicants, the only outstanding question is whether the documents released to those applicants (**attached**) should also be published on the Department's disclosure log.

I note our previous discussions where we touched on this topic (and our preliminary agreed outcome was not to publish), however for the sake of completeness I would be grateful for your confirmation. Relevant information is below.

### Background

Under section 11C of the FOI Act, the Department must publish those documents on a publicly available website (referred to as the "disclosure log"), except in certain circumstances, such as where it would be unreasonable to publish personal or business affairs information.

For example, if the applicant requested documents containing their personal or business affairs information, although the Department released those documents to the applicant (on the basis that it's their own information), it may be unreasonable to also publish those documents on the publicly available disclosure log.

In relation to these FOI requests, we recommend not to publish the documents that were released to the applicants, given the extent of references to personal and business affairs information in the documents, and given

s4  
7C  
&  
s4  
7F

We also do not consider it feasible to delete any personal or business affairs information without a risk that what is published may, when combined with other pieces of information, enable the personal and business information to be re-identified.

I would be grateful for your confirmation by **Wednesday 12 June 2019**, that the documents should not be published on the disclosure log.

As always, please feel free to contact me at any time if you would like to discuss further.

Regards

s 22 | Advisor

FOI & Privacy Section

Legal Policy Branch | Government Division

Department of the Prime Minister and Cabinet

s 22

s 22 | [foi@pmc.gov.au](mailto:foi@pmc.gov.au) | [www.dpmc.gov.au](http://www.dpmc.gov.au)

One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600



**The Department acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, waters and community. We pay our respect to their Cultures, Country and Elders both past and present.**