



OFFICE OF THE OFFICIAL SECRETARY  
TO THE GOVERNOR-GENERAL

06 August 2024

Via email: [foi+request-11670-4998ac08@righttoknow.org.au](mailto:foi+request-11670-4998ac08@righttoknow.org.au)

Dear Ms Torrens,

**Re: Application under the *Freedom of Information Act 1982***  
**Ref: FOI2024080**

I refer to your email of 11 July 2024 in which you make a request under the Commonwealth *Freedom of Information Act 1982* (FOI Act) for:

*“Under the provisions of the Freedom of Information Act 1982 (Cth), I hereby request access to documents held by the Office of the Governor-General which relate to any financial transactions, taxpayer-funded payments, or agreements involving Charles III, his business ventures concerning the continued colonisation of Australia, associations with the Terra Carta (Earth Charter), and any agreements or treaties concerning land, water, and resource management. This request also extends to any transactions or agreements involving “the Crown,” also known as the Corporation of the City of London, in these contexts.*

*Specifically, my request encompasses:*

*Financial Documents: All records of payments, funding, or financial support provided directly to Charles III or his associated business ventures for activities related to the continued colonisation of Australia, initiatives connected to the Terra Carta, and the management and exploitation of land, water, and resources. This includes, but is not limited to, direct transfers, subsidies, or financial incentives.*

*Correspondence: Copies of any correspondence between the Office of the Governor-General and Charles III or representatives of the Crown concerning financial agreements or transactions, including those related to the Terra Carta and agreements/treaties on land, water, and resources.*

*Agreements and Contracts: Any agreements, contracts, or documented understandings between the Commonwealth of Australia and Charles III or the Crown that pertain to financial dealings, colonisation activities, commitments under the Terra Carta, and treaties or agreements over land, water, and resources.*

*Account Transactions: Detailed statements or ledger entries showing any financial transactions from Commonwealth accounts to Charles III or the*

*Crown, including those earmarked for Terra Carta initiatives and land, water, and resource management.*

*Reports and Briefings: Any reports, briefings, or memos prepared for or by the Office of the Governor-General regarding financial support or business dealings with Charles III and the Crown, specifically related to Australian colonisation efforts, the Terra Carta, and the management or use of land, water, and resources.*

*Please provide these documents in electronic format where possible. If some documents are exempt from disclosure under the Act, I request that you provide an index of these documents and the reasons for their exemption."*

I am the authorised decision maker under section 23 of the FOI Act and this letter sets out my decision on your request for access.

### **Material taken into account**

In making my decision, I have had regard to the following:

- the terms of your request;
- advice from Agency officers with responsibility for matters relating to the documents to which you sought access;
- the relevant provisions of the FOI Act; and
- the Commonwealth's guidelines on FOI.

### **Application of the FOI Act**

The FOI Act has a limited application to the Official Secretary to the Governor-General. Section 6A provides that the Act does not apply to any request for access to a document of the Official Secretary unless the document relates to matters of an administrative nature. In *Kline v Official Secretary to the Governor General* [2013] HCA 52 the High Court said:

'the exception of a class of document which relates to "matters of an administrative nature" connotes documents which concern the management and administration of office resources.'

Further, the High Court held the phrase does not apply to documents that relate to the discharge of the Governor-General's 'substantive powers and functions'.

24A - Requests may be refused if documents cannot be found, do not exist or have not been received

#### *Document lost or non-existent*

- (1) An agency or Minister may refuse a request for access to a document if:
  - (a) all reasonable steps have been taken to find the document; and
  - (b) the agency or Minister is satisfied that the document:
    - (i) is in the agency's or Minister's possession but cannot be found; or
    - (ii) does not exist.

**Decision**

The Office has been unable to identify any documents within the scope of your request.

Accordingly, I advise that I must reject your request under section 24A of the FOI Act on the basis that the document(s) sought cannot be found, do not exist or have not been received.

**Review rights**

You are entitled to seek review of this decision. Your rights are set out at Attachment A to this letter.

Yours sincerely

A handwritten signature in black ink that reads "JBarnes". The signature is written in a cursive, slightly slanted style.**Jeff Barnes**

Deputy Official Secretary to the Governor-General

## **ATTACHMENT A — INFORMATION ON RIGHTS OF REVIEW**

### **1. APPLICATION FOR INTERNAL REVIEW OF DECISION**

You can request internal review within 30 days of you receiving this decision. An internal review will be conducted by a different officer from the original decision-maker.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed. Applications for internal review can be made:

- via email to [FOIcontactofficer@gg.gov.au](mailto:FOIcontactofficer@gg.gov.au)
- by mail to The Official Secretary to the Governor-General, Government House, CANBERRA ACT 2600

If you choose to seek an internal review, you will afterward have a right to apply for Information Commissioner review (IC review) of the internal review decision.

### **OR**

### **2. INFORMATION COMMISSIONER REVIEW OR COMPLAINT**

You also have the right to seek IC review of this decision. For FOI applicants, an application for IC review must be made in writing within 60 days of the decision. For third parties who object to disclosure of their information, an application for IC review must be made in writing within 30 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify this office as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>
- via email to [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)
- by mail to GPO Box 5218 Sydney NSW 2001, or
- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available at its website: [www.oaic.gov.au/freedom-of-information/foi-review-process](http://www.oaic.gov.au/freedom-of-information/foi-review-process).