



OFFICIAL

# Freedom of Information (FOI) request

Notice of Decision

Reference: FOI/2024/232

Trav S

By email: [foi+request-11733-def3b1f9@righttoknow.org.au](mailto:foi+request-11733-def3b1f9@righttoknow.org.au)

Dear Trav S

I refer to your request to the Department of the Prime Minister and Cabinet, under the *Freedom of Information Act 1982* (the FOI Act), received on 22 July 2024.

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

## Scope of request

You requested access to:

*... a document recording the number of Humanitarian Overseas Service Medals awarded to the Australian contingent to the rehabilitation program in Iraq carried out by the Coalition Provisional Authority.*

## Authorised decision-maker

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

## Material taken into account

In reaching my decision I have had regard to the following:

- the terms of your request
- searches and inquires undertaken by the Department
- the FOI Act
- the FOI Guidelines issued by the Information Commissioner under section 93A of the FOI Act (the Guidelines)

## Decision

I have decided to refuse your request under section 24A(1) of the FOI Act, on the grounds that the Department has taken all reasonable steps to locate the documents responsive to your request, and those documents do not exist.

### Reason for decision

My findings of fact and reasons for deciding to refuse your request for access are set out below.

#### 1. Documents cannot be found or do not exist

Section 24A(1) of the FOI Act provides that:

*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.*

In determining what the FOI Act means with respect to 'all reasonable steps', I have had regard to the Guidelines which discuss the meaning of 'reasonable' in section 24A(1)(a). It is not designed to go beyond the limit assigned by reason, not to be extravagant or excessive, rather to be moderate and of such an effort to be appropriate or suitable to the circumstances<sup>1</sup>.

The Department has undertaken inquiries and searches within the Honours and Symbols Section of the Parliamentary and Government Branch regarding any relevant records that would meet the terms of your request. That is for a document that would record the 'number' of medals awarded for the subject of your request.

The Honours and Symbols Section provides policy advice on the operation of the Australian honours system and administers applications of the Humanitarian Overseas Service Medal (the Medal). This is the area in the Department who would hold documents, relating to the terms of your request, if they existed. They have conducted searches of their record repositories for any documents that may be responsive to your request. The Department does not hold a record, either in discrete form or within a database,<sup>2</sup> of the number of Medals awarded to the Australian contingent to the rehabilitation program in Iraq carried out by the Coalition Provisional Authority.

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<sup>1</sup> Paragraph 3.88 of the Guidelines

<sup>2</sup> Section 17 of the FOI Act

I note it is the Governor-General who decides whether to award the Medal. Information about the awarding of medals would be held by the Office of the Official Secretary to the Governor-General.

I am satisfied that the measures taken by the Department to locate a document in response to your request are appropriate and suitable given the circumstances. After taking all reasonable steps to find documents, no documents relevant to your request have been identified.

I am refusing your request for access under section 24A(1) of the FOI Act as the document you have requested does not exist.

## Review rights

If you disagree with my decision, you may apply for internal review or Information Commissioner review of the decision.

### Internal review

Under section 54 of the FOI Act, you may apply in writing to the Department for an internal review of my decision. The internal review application must be made within 30 days after the date of this letter, please attach the reasons why you disagree with the decision.

Applications for review should be sent to [foi@pmc.gov.au](mailto:foi@pmc.gov.au).

### Information Commissioner review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days after the date of this letter.

More information about Information Commissioner review is available [here](#).<sup>3</sup>

## FOI Complaints

If you are unhappy with the way we have handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem. If you are not satisfied with our response, you can make a complaint to the Australian Information Commissioner. A complaint to the Information Commissioner must be made in writing. More information about complaints is available [here](#).<sup>4</sup>

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<sup>3</sup> <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-reviews/information-commissioner-review>

<sup>4</sup> <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-complaints/make-an-foi-complaint>

If you wish to discuss any aspect of your requests, you can contact the FOI Section by email at [foi@pmc.gov.au](mailto:foi@pmc.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Belgrove', with a horizontal line extending from the end of the signature.

David Belgrove  
Assistant Secretary  
Parliamentary and Government Branch  
Department of the Prime Minister and Cabinet

3 September 2024