



OFFICIAL

# Freedom of Information (FOI) request

Notice of Decision

Reference: FOI/2024/296

To Tyler

By email: [foi+request-11926-9a06ae05@righttoknow.org.au](mailto:foi+request-11926-9a06ae05@righttoknow.org.au)

Dear Tyler,

I refer to your request of 19 August 2024 to the Office of Parliamentary Counsel seeking access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The Department of the Prime Minister and Cabinet accepted the transfer of the request on 3 September 2024.<sup>1</sup>

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 set out your request in the following terms:

*...a copy of the Australian Capital Territory National Land (Leased) Ordinance 2022, as made with signature of the Governor-General and relevant ministers.*

## 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 referred to the following:

- the terms of your request

---

<sup>1</sup> The transfer was accepted under section 16 of the FOI Act.

- the document relevant to your request
- the FOI Act
- the Guidelines issued by the Information Commissioner under section 93A of the FOI Act (the Guidelines)

## Document in scope of request

The Department has identified one document that falls within the scope of your request.

## Decision

I have decided to grant access in full, with irrelevant material deleted, to the document identified within the scope of your request.

The document is enclosed.

## Reasons for decision

My findings of fact and reasons for deciding that certain information is irrelevant are set out below.

### 1. Deletion of irrelevant matter

Section 22 of the FOI Act authorises the Department to give access to an edited copy of a document if giving access to a document would disclose information that would be reasonably regarded as irrelevant to the request, and it is possible for the Department to prepare an edited copy, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request.

On 4 September 2024, the Department advised you of its policy to exclude any signatures which are contained in documents that fall within the terms of an FOI request. This category of information is identified as irrelevant.

Accordingly, I am satisfied that parts of the document are irrelevant under section 22(1)(a)(ii) of the FOI Act. The remainder of the document have been released to you.

## Additional information

The full terms of the *Australian Capital Territory National Land (Leased) Ordinance 2022* can be accessed via the [Federal Register of Legislation](https://www.legislation.gov.au/F2022L00470/asmade/text).<sup>2</sup>

---

<sup>2</sup> <https://www.legislation.gov.au/F2022L00470/asmade/text>

## 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. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days from the date it is received.

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. 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>

---

<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>

OFFICIAL

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 blue ink, appearing to read 'Branko Ananijevski', written in a cursive style.

Branko Ananijevski  
A/g Assistant Secretary  
Cabinet Information and Governance Branch  
Department of the Prime Minister and Cabinet  
1 October 2024

OFFICIAL