



Australian Government

Classification Board

Our reference: CB 25-154

Glenn Hamiltonshire

By email: foi+request-12232-19c4fdc0@righttoknow.org.au

Dear Mr Hamiltonshire

Decision on your Freedom of Information Request

On 28 October 2024, you submitted a request to the Classification Board (the Board), seeking access to documents under the *Freedom of Information Act 1982* (FOI Act).

1 Your request

You requested access to:

Access to any submissions, correspondents, or documents received and exchanged by the Australian Classification Board from the following organisations from 1 January 2020 onward:

- (a). Australian Christian Lobby (ACL)
- (b). ADVANCE (formerly Advance Australia)
- (c). Institute of Public Affairs (IPA)

2 Authority to make decision

I am authorised to make decisions in relation to Freedom of Information requests under section 23(1) of the FOI Act.

3 Decision

The right of access under the FOI Act is limited to a 'document of an agency', being a document in the possession of the Board, whether created by the Board or received by the Board (section 4 of the FOI Act refers).

Section 24A of the FOI Act provides that an agency 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.

The business area responsible for providing secretariat support to the Board has conducted searches of the Board's information holdings. No documents matching the description in your request were identified as being in the possession of the Board.

I am satisfied that all reasonable steps have been taken to find documents which would be relevant to your request and that the documents do not exist in the possession of the Board.

I have decided, in accordance with section 24A of the FOI Act, that the Board does not hold a document in its possession that meets the terms of your request.

4 Material taken into consideration

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

- the terms of your request
- the provisions of the FOI Act
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from officers responsible for providing secretariat support to the Board

5 Legislative provisions

The FOI Act, including the provisions referred to in my decision, are available on the Federal Register of Legislation website: www.legislation.gov.au/Series/C2004A02562.

6 Your review rights

If you are dissatisfied with my decision, you may apply for a review of it.

An application for IC review must be made in writing to the Office of the Australian Information Commissioner (OAIC) within 60 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.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: www.oaic.gov.au/freedom-of-information/foi-review-process.

Further information

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts provides administrative assistance to the Classification Board in relation to FOI matters.

If you require further information regarding this decision, please contact the Department's FOI Section at FOI@infrastructure.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'D. Irlinger', written over a horizontal line.

Dominique Irlinger
A/g Director
Classification Board

Date: 15 November 2024