



Australian Government
Classification Review Board

Our reference: CRB 25-158

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 Review Board (the Review 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 Review 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 Background

I have determined that six documents are in the possession of the Review Board which meet the terms of your request. These documents have been released in response to a previous FOI request and as such, I am providing them to you as if they were available on the FOI Disclosure Log.

4 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 Review Board, whether created by the Review Board or received by the Review 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 Review Board has conducted searches of the Review Board's information holdings. No additional documents beyond those previously released match the description in your request.

I am satisfied that all reasonable steps have been taken to find documents which would be relevant to your request and that no additional documents exist in the possession of the Review Board.

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

5 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 Review Board.

6 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.

7 Your review rights

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

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 Review 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 read 'Susan Bush', with a stylized, cursive script.

Susan Bush
Convenor
Classification Review Board

Date: 14 November 2024