

2 December 2024

Jay Burstin

By email only: foi+request-12398-29012c28@righttoknow.org.au

Dear Mr Burstin

Freedom of Information Request

I refer to your email of 28 November 2024 seeking access to documents under the *Freedom of Information Act 1982* (“**FOI Act**”) from the Victorian Curriculum and Assessment Authority (“**VCAA**”) in the following terms:

*I would like to request all VCE exam PDF cover sheets as they appeared on VCAA’s website on October 11th 2024. For clarity, the files should be sent in the format available for download on that day, so that any leaked questions are included in the PDF files. (“**Request**”).*

To the extent your email constitutes an informal request for access outside the FOI Act, the VCAA respectfully declines to provide the documents you seek.

Validity of request

The FOI Act creates a right of access to documents of an agency, such as the VCAA. Section 13 of the FOI Act states that the right of access is to be exercised “in accordance with this Act”. Section 17 of the FOI Act sets out the requirements to be satisfied before a valid request for access to documents exists.

Application fee

One requirement is for a request for access to be accompanied by an application fee of 2 fee units (s 17(2A), FOI Act), presently \$32.70. That application fee may be waived or reduced if payment of the fee would cause hardship to an applicant (s 17(2B), FOI Act).

If you wish to proceed with your Request, please forward the application fee. Payment can be made by cheque or money order (payable to the VCAA) or by credit card. If you wish to pay by credit card, please provide the following information:

<input type="checkbox"/> Cheque or Money Order (payable to the VCAA)	<input type="checkbox"/> Mastercard	<input type="checkbox"/> Visa					
Card number	<input type="text"/>	Expiry date	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Cardholder's name	<input type="text"/>						
Cardholder's signature	<input type="text"/>			Date	<input type="text"/>		

The way forward

While it is not necessary to make an FOI request in a prescribed form, the VCAA publishes an application form on its website, which assists applicants in providing information that assists us in processing requests. The form, should you wish to use it, is available here:

[Pages - Freedom of Information \(FOI\)](#)

If you wish to obtain the documents under the FOI process, please ensure the matters raised above are addressed within 21 days, otherwise the VCAA may refuse to comply with the Request by treating it as having lapsed due to not having been validly made.

Please note that until the Request is made in a manner required by s 17 of the FOI Act, it cannot be processed and the 30-day time period within which a decision must be made on the Request has not commenced to run.

I look forward to hearing from you.

Yours sincerely

Jenny Morris
Principal Solicitor