



December 2024

Oliver Smith

By email: foi+request-12401-a920601a@righttoknow.org.au

Dear Oliver Smith

RE: Freedom of Information Request - Notice of intention to refuse request

I refer to your request received by the Department of Foreign Affairs and Trade (the department) on 28 November 2024 for access under the *Freedom of Information Act 1982* (the FOI Act) to:

documents created since 1 July 2024 in relation to the cost of Australia Day events at Australian Government embassies, high commissions, consulates, multilateral missions and representative offices held centrally by DFAT within Australia'

I am writing to inform you that processing your request, as currently worded, *would substantially and unreasonably divert resources of the agency from its other operations.*

However, you are welcome to revise the scope of your request in line with section 24AB(2)(e) of the FOI Act, so that it might be processed.

Sections of the FOI Act referred to in this notice are accessible at www.legislation.gov.au.

Notice of intended practical refusal

In accordance with section 24AB(2) of the FOI Act, I am providing you notice of my intention to refuse to grant access to the documents captured by your request.

The reason for the proposed practical refusal is that the work involved in processing the request as it currently stands *would substantially and unreasonably divert the department's resources from its other operations.*

As you were advised during our informal consultation on 29 November 2024, your scope, at the time, would require document searches to be tasked to every Post in our overseas network to locate documents, as expenditure of this nature is typically managed locally by our embassies and high commissions and not through a central unit in Canberra.

On 3 December 2024, you narrowed the scope of your request to include only documents which are centrally held by DFAT within Australia. Although this narrows the amount of

search tasking to be undertaken, we would still be required to task document searches to every country desk in Canberra who are the Canberra-based team for over 125 Embassies and High Commissions around the world to see if they held any documents. This is because expenditure of the kind you are requesting is not held centrally or managed centrally in Canberra.

For these reasons, I am of the view that processing your request in its current form *would substantially and unreasonably divert the resources of the agency from its other operations* and therefore a practical refusal reason exists within the meaning of section 24AA(1) of the FOI Act.

Consultation to revise the scope of the request

Pursuant to section 24AB(2)(e) of the FOI Act, you have 14 days from the day you are given this notice to:

- a. withdraw your request,
- b. revise the scope of your request, or
- c. inform the department that you do not wish to revise your request.

I invite you to contact me (via foi@dfat.gov.au) should you wish to revise the request in order that it may be processed. I am happy to take any reasonable steps to provide you, as far as is reasonably practicable, with any information to assist you in doing so.

In your consideration of a revised scope, you may wish to consider limiting your request to a specific Post or geographic region.

Please note that under section 24AB(7) of the FOI Act, if you do not *consult the contact person during the consultation period, make a revised request or indicate that you do / do not wish to revise the scope of your request*, your request will be considered to have been withdrawn.

Please also be aware that during this period of consultation, the statutory timeframe under section 15(5) of the FOI Act for the processing of your request is on hold (see section 24AB(8) of the FOI Act for details).

Contact

Should you have any queries regarding this decision please contact the Freedom of Information Section by email: foi@dfat.gov.au.

Yours sincerely

Brooke King

Brooke King
Director
Freedom of Information Section