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Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts

Our reference: FOI 25-224

Tyler (via Right to Know)

By email to: foi+request-12680-258df4d8@righttoknow.org.au

Dear Tyler

Decision on your Freedom of Information Request

On 2 January 2025, you submitted a request to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department), seeking access to documents under the *Freedom of Information Act 1982* (FOI Act).

1 Your request

You requested access to documents in relation to:

- (a) the Protection of Cultural Objects on Loan Regulation 2014 (Select Legislative Instrument No. 142, 2014), and
- (b) the Protection of Cultural Objects on Loan Regulations 2024

I am looking for

- copy of these Regulations as made with signature of the Governor-General; and the relevant minister.
- documents that were submitted to the Governor-General for the Governor-General's signature of these Regulations (e.g. notes, certificates etc.).

2 Authority to make decision

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

3 Decision

I have identified 2 documents that I consider contain information that is relevant to your request. These documents were in the possession of the Department when your request was received. I have decided to grant access in full to relevant information in 2 documents.

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3.1 Section 22 – deletion of material from documents released to you

Section 22 of the FOI Act applies to documents containing irrelevant material and allows an agency to delete such material from a document.

Irrelevant material

I decided that the documents captured by your request contain material which can reasonably be regarded as irrelevant to your request.

The documents contain personal identifiers of public servants. When your request was acknowledged, we notified you that personal information of public servants below the SES level, including all email addresses, signatures and direct telephone numbers, would be considered irrelevant to the scope of your request unless you told us that you were expressly seeking access to that information. On the basis that you did not notify us otherwise, I decided this information is irrelevant to your request.

As such, an edited copy of the documents has been prepared in accordance with section 22(1)(a)(ii) of the FOI Act. This information is marked 's22' in the documents released to you.

4 Material taken into consideration

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

- the terms of your request
- the content of the documents captured by 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 departmental officers with responsibility for the subject matter contained in the documents captured by your request

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.

6.1 Internal review

You can request an internal review within 30 days of receiving this decision. An internal review will be conducted by a different departmental officer from the original decision-maker.

No particular form is required to apply for review although it will assist the Department if you are able to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be sent to FOI@infrastructure.gov.au

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you if you remain dissatisfied with the decision.

6.2 Information Commissioner review or complaint

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.

7 Publication of material released under the FOI Act

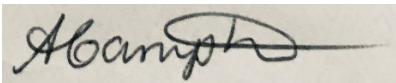
Where I have decided to release documents to you, we may also publish the released material on our Disclosure Log. We will not publish personal or business affairs information where it would be unreasonable to do so.

For your reference our Disclosure Log can be found here: www.infrastructure.gov.au/about-us/freedom-information/freedom-information-disclosure-log.

Further information

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 on a light-colored background, appearing to read 'Ann Campton'.

Ann Campton
Assistant Secretary
Collections and Cultural Heritage Branch
Office for the Arts

Date: 30 January 2025