



FOI/2025/00001

3 February 2025

Glenn Hamiltonshire

Sent by email to: [foi+request-12683-c9940a7e@righttoknow.org.au](mailto:foi+request-12683-c9940a7e@righttoknow.org.au)

Dear Mr Hamiltonshire,

## **Decision on your Freedom of Information Request**

On 3 January 2025, you made the following request to the Royal Australian Mint (**Mint**) under the Freedom of Information Act 1982 (Cth) (**FOI Act**):

*I request access to the following:*

- (a) The Royal Australian Mint's charter with the Treasury.*
- (b) The Royal Australian Mint's supporting memorandum of understanding; and*
- (c) Any associating 'governance instruments' referenced in the Corporate plan.*

### **Documents within the scope of the request**

Two documents were found within the scope of the request, namely:

- (a) Charter between the Royal Australian Mint and The Treasury*
- (b) Memorandum of Understanding between the Department of the Treasury and the Royal Australian Mint*

### **Authorisation**

I am authorised to make decisions under section 23(1) of the FOI Act.

### **Decision**

I have decided to refuse your request for access to documents under section 47G(1)(a) of the FOI Act. Further information considering my decision is set out below.

### **Reasons for decision**

Section 47G(1)(a) of the FOI Act provides that a document is conditionally exempt from disclosure to the extent that it contains business, commercial or financial information that would be unreasonable to disclose. Information about the management and commercial business, including revenue and accountability arrangements between the Mint and the Treasury (and Mint and Treasury staff), are not, to my knowledge, publicly known.

Therefore, I find that disclosing the information would be unreasonable because it could reasonably be expected to provide potential competitors with an unfair insight into the Mint's commercial, business and financial arrangements and activities.

### *Public Interest Test*

Section 11A(5) of the FOI Act provides that conditionally exempt material must be released unless (in the circumstances) its disclosure would, on balance be contrary to the public interest. To determine whether access to the conditionally exempt personal information would be contrary to the public interest, I must weigh the public interest factors favouring access to the information against the public interest factors against access.

Paragraph 6 of the FOI Guidelines provides that the public interest test is considered to be something that is of serious concern or benefit to the public, not merely of individual interest and related to matters of common concern or relevance to all members of the public, or a substantial section of the public. In this case I discern no public interest in releasing the commercial, business and financial arrangement information that falls within the scope of the request.

Against disclosure I have considered the importance of businesses being able to conduct their legitimate affairs without risk of exposure through the FOI processes. On balance I consider that releasing the business, commercial and financial information contained in the documents would be contrary to the public interest.

Accordingly, I have decided to refuse your request for access to these documents under section 47G of the FOI Act.

### **Materials taken into account**

In reaching my decision, I took into account:

- the scope of your request, dated 3 January 2025
- the content of the document requested
- information about:
  - the nature of the document, and
  - the Mint's operating environment and functions
- the FOI Act, and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (**Guidelines**).

### **Review rights**

Your review rights are set out in **Attachment A**.

Yours sincerely,

FOI Officer  
Royal Australian Mint

## Attachment A. Review rights

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. Please note that you do not have to apply for Internal Review prior to lodging an Information Commissioner Review.

### Application for internal review

Under section 54 of the FOI Act, you may apply in writing to the Treasury for an internal review of my decision. If you wish to seek an internal review, you must apply to the Treasury within **30 days** after the day you are notified of this decision.

An application for an internal review can be made in writing to the Treasury FOI Officer via email to [foi@treasury.gov.au](mailto:foi@treasury.gov.au).

Where possible please attach reasons why you believe review of the decision is necessary. If you make an application for internal review, we request that you attach a copy of this decision to your internal review application.

### Information Commissioner review

Alternatively, if you are dissatisfied with my decision, under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision.

An application for review by the Information Commissioner must be made in writing within **60 days** after the day you are notified of this decision. You can also make a complaint to the Information Commissioner if you have concerns about how the Mint handled your request.

An application for an Information Commissioner review can be made through the online webform on the Office of the Australian Information Commissioner (OAIC) website: <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-reviews/information-commissioner-review>.

You can find further information about requesting a review, making a complaint, and other information about FOI on the OAIC website ([www.oaic.gov.au](http://www.oaic.gov.au)) or by phoning the OAIC on 1300 363 992.