



## FOI 138/17/18 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by [REDACTED] Right to Know, under the *Freedom of Information Act 1982* (FOI Act), for access to:

*the supporting documentation for the following CMS Transaction Reports given in [https://www.righttoknow.org.au/request/top\\_10\\_highest\\_transactional\\_val#outgoing-8048](https://www.righttoknow.org.au/request/top_10_highest_transactional_val#outgoing-8048) (Reference by the FOI Document Serial Number used on the CMS Transaction Report):*

- \*[Item 1] Serial 35 - Courgette Restaurant \$938 Official Hospitality*
- \*[Item 2] Serial 41 - O/S Car Hire Hertz \$3,816.23*
- \*[Item 3] Serial 51 - Taxi \$470.86*
- \* [Item 4] Serial 52 - Taxi \$418.01*
- \*[Item 5] Serial 54 - Taxi \$344.50*
- \*[Item 6] Serial 55 - Limousine \$300*
- \*[Item 7] Serial 70 - Meals \$377.85*
- \*[Item 8] Reimbursement Serial 2 -\$1,000*
- \* [Item 9] Reimbursement Serial 5 -\$769.80*

*Credit card numbers, passport numbers, phone numbers, and the names of any non-SES(E) staff can be redacted with consent. If private addresses are part of the documentation, all address details bar the suburb may be redacted with consent.*

*excluding personal email addresses, signatures, PMKeys numbers and mobile telephone numbers, contained in documents that fall within the scope of the FOI request. In addition, excluding duplicates of documents*

### FOI decision maker

2. I am the accredited officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

### Documents identified

3. I identified 67 pages of documents as matching the description of the request.

- a. Item 1 - 3 pages of supporting documents
- b. Item 2 - 24 pages of supporting documents
- c. Item 3 - 7 pages of supporting documents
- d. Item 4 - 3 pages of supporting documents
- e. Item 5 - 2 pages of supporting documents
- f. Item 6 - 4 pages of supporting documents
- g. Item 7 - 2 pages of supporting documents
- h. Item 8 - 4 pages of supporting documents
- i. Item 9 - 18 pages of supporting documents

4. I have added an FOI reference number and Item number to each of the documents.
5. You will note that some of the documents included were generated after the request was received. I have decided to consider these for release as they provide context to the transactions.

### **Decision**

6. I have decided to:
  - a. release documents relating to Items 1, 3, 4, 5, 6, 7 and 8 documents in full;
  - b. partially release documents relating to Items 2 and 9 in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act, on the grounds that the deleted material is considered exempt under section 33(a)(i) [Documents affecting national security] of the FOI Act; and
  - c. remove irrelevant material as referred to in the scope of the request in accordance with section 22(1)(b)(ii) of the FOI Act.

### **Material taken into account**

7. In making my decision, I had regard to:
  - a. the terms of the request;
  - b. the content of the identified documents in issue;
  - c. relevant provisions in the FOI Act;
  - d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
  - e. advice received from third parties and Strategic Policy and Intelligence Group.

### **Reasons for decision**

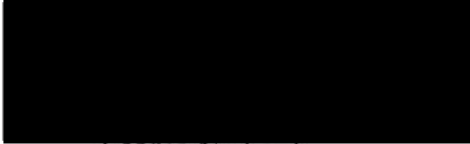
#### **Section 33(a)(i) – national security**

#### **Subsection 33(a)(i) – Documents affecting the security of the Commonwealth**

8. Section 33 of the FOI Act exempts documents that would, or could reasonably be expected to cause damage to the security of the Commonwealth.
9. I have identified information within the documents that, if released, could jeopardise the capability of the ADF. This particular information relates to the names and contact details of Defence personnel in Strategic Policy and Intelligence Group in specific roles that protect the Commonwealth from adversaries. I am of the view that the release of this information could expose personnel associated with sensitive defence capabilities to threats from foreign intelligence services, terrorist groups and other hostile or subversive groups or organisations. Other material refers to the specific travel details of particular individuals which if released could compromise Defence's ability to protect the Commonwealth and its national interests.
10. I have therefore determined that this material is exempt under section 33(a)(i) of the FOI Act.

**Clarification/Context Statement**

11. Please note that several receipts don't match the charged amount, Defence is currently investigating.



Leone Neiberding  
Accredited Decision Maker  
Chief Finance Group

1 Dec 2017