



Our reference: FOI 295/14/15

[Redacted]

By email: [Redacted]

Dear [Redacted]

NOTICE OF DECISION ON FREEDOM OF INFORMATION REQUEST

1. I refer to your email, dated 24 March 2015, in which you requested access, under the *Freedom of Information Act 1982* (FOI Act), to:

“...a copy of the itinerary and passenger manifest for the Prime Minister’s Special Purpose Aircraft for Sunday 22 March 2015.”

Background

2. The purpose of this letter is to provide you with the decision relating to the document that is the subject of your request.

FOI decision maker

3. Group Captain CM Wallis, Director of Corporate and Community Relations, Air Force was the accredited decision maker, under the FOI Act, in relation to your request.

Identified document

4. Group Captain Wallis identified one document as matching the scope of your request.

Decision

5. Group Captain Wallis decided to partially release the identified document with deletions in accordance with section 22 of the FOI Act, on the grounds that the deleted material is considered exempt under section 47F of the FOI Act.

Material taken into account

6. In making her decision, Group Captain Wallis had regard to:
- a. the terms of the request
 - b. the content of the document in issue
 - c. relevant provisions in the FOI Act
 - d. paragraph 6.29 the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines)
 - e. principles on open public sector information issued by the Information Commissioner.

Exemption claim - Section 47F of the FOI Act

7. Upon examination of the document, Group Captain Wallis identified signatures of a person other than the applicant, as well as the names and relevant organisational information of the passengers. In regards to the names of the people who travelled, Group Captain Wallis took into account that the material is routinely tabled in Parliament and as such does not meet the threshold for unreasonable disclosure of personal information. However, she considered the disclosure of the personal signatures and the organisational information would constitute an unreasonable disclosure of personal information of a person other than you.

8. The Guidelines note that *'the personal privacy exemption is designed to prevent 'unreasonable' invasion of third parties privacy'*. In accordance with subsection 47F(2), in determining whether the disclosure of this information would involve the unreasonable disclosure of personal information, Group Captain Wallis had regard to:

- a. the extent to which the information is well known
 - b. whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document
 - c. the availability of the information from publicly accessible sources
 - d. any other matters that the agency considers relevant.
9. Against those criteria, Group Captain Wallis found that:
- a. the specific personal information is not well known
 - b. the people to whom the information relates are not widely known to have been associated with the matters dealt with in the documents
 - c. the personal information is not readily available from publicly available sources
 - d. the material considered to be exempt is information that the individuals would reasonably be expected not to have disclosed to a third party without their consent.

Public interest considerations

10. In assessing whether disclosure of the conditionally exempt material is, on balance, contrary to the public interest, Group Captain Wallis considered the range of relevant factors that favour access to a document set out in section 11B(3) [public interest exemptions – factors favouring access] of the FOI Act. While disclosure may promote some of the objects of the FOI Act, she did not consider it would increase public participation in government processes, nor would it increase scrutiny or discussion of government activities.

11. While release of the information may be of some interest to you, it would not inform public debate on any matter of public importance in any meaningful way. Additionally, disclosure of this specific information would not promote oversight of public expenditure, nor would it allow you access to your own personal information. Further, Group Captain Wallis considered that the protection of an individual's right to privacy outweighs any public interest there may be in the release of this material.

12. Therefore, she decided that it would be contrary to the public interest to release the information considered exempt under section 47F(1) of the FOI Act.

Payment of Charges

13. In our letter, dated 26 March 2015, after deducting the free decision making time, the department estimated the cost associated with processing your request to be [REDACTED]. You agreed to pay charges for the administration of your request on 30 March 2015, noting that a deposit was not required to be paid. The charges were formally imposed on the same day.

14. Upon completion of your request, after deducting the free decision making time, the actual amount for processing was calculated to be [REDACTED]. In order to finalise your request, you are required to pay the above amount. Please find attached at Enclosure 1 a Payment Authorisation Form for the balance. Once you have completed the form please return to foi@defence.gov.au.

Rights of review

15. The FOI Act provides for rights of review of decisions. A copy of the fact sheet, "Freedom of Information – Your Review Rights" is at Enclosure 2.

FOI Disclosure Log

16. In accordance with the requirements of section 11C of the FOI Act, Defence is required to publish details of information released under the FOI Act. Defence will publish the identified documents relating to this request within five working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions.

Further advice

17. The FOI Act can be accessed online at:
<http://www.comlaw.gov.au/Details/C2015C00013>.

18. Should you have any questions, please contact this office.

Yours sincerely



Theresa Stinson
Assistant Director – Media Case Management
Freedom of Information

27 April 2015

Enclosures:

1. Freedom of Information Payment Authorisation Form
2. Fact Sheet: Freedom of Information – Your Review Rights