



## Australian Government

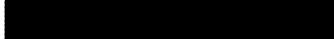
### Department of Defence

Office of the Secretary and  
Chief of the Defence Force Group

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Our reference: FOI 146/11/12



By email: 

Dear 

1. I refer to your email, dated 12 December 2011, in which you requested access, under the *Freedom of Information Act 1982* (FOI Act), to documents that disclose:

*- the reasons for the direct source of procurements as notified for Defence contracts with IBM per*

*\* CN447007; and*

*\* CN433490*

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. Ms Debbie Rath, Acting Director, Freedom of Information is the authorised decision maker, under the FOI Act, in relation to your request.

#### **Documents identified**

4. Ms Rath identified a 13 page pdf document, consisting of a 1 page covering brief (reference: CTO/OUT/2011/062), an 11 page Minute (reference: 252/11) and a single page Defence form template. Paragraphs 10 – 14 of page 4 of the pdf document, match the scope of the request.

5. Ms Rath noted that the Chief Information Officer Group previously advised that there is only one contract. Noting that the contract notice for the smaller amount (CN433490) was an initial payment made under the same contract (CN447007).

### **Material taken into account**

6. In making her decision, Ms Rath had regard to:
- The content of the document in issue;
  - Relevant provisions in the FOI Act; and
  - The guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the guidelines)

### **Decision**

7. Ms Rath decided to release the identified document with irrelevant material removed in accordance with subparagraph 22(1)(a)(ii) [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act. Ms Rath found that pages 1- 3, parts of page 4 & pages 5 - 13 contained information which relates to the Head Agreement with IBM, generally, which she considered is reasonably regarded as irrelevant to the scope of the request.

8. A copy of section 22 of the FOI Act is at Enclosure 1.

### **Payment of Charges**

9. In our letter, dated 15 December 2011, the department estimated the cost associated with processing your request to be [REDACTED]. A deposit was not required, however you agreed to pay charges for the administration of your request on 16 December 2011.

10. Upon completion of your request, the actual amount for processing matched the estimated charges, an exception being the number of pages for photocopying which you are not required to pay as the document is in electronic format.

11. Accordingly you are required to pay [REDACTED] in order to finalise your request. Cheques or Money Orders should be made out to the 'Receiver of Public Monies' and forwarded to the address at the top of this letter. Credit card payments can be made by completing the form at Enclosure 2 and returning it to the FOI Directorate.

### **Rights of review**

12. The FOI Act provides for rights of review of decisions. A copy of the fact sheet "Freedom of Information – Your Review Rights" setting out your rights of review is at Enclosure 3.

### **FOI Disclosure Log**

13. 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 publishes identified documents relating to requests within two working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions.

**Further advice**

14. Should you have any questions in regard to this matter please contact me directly on (07) 3332 6359. Alternatively, the FOI team can be contacted on the details at the top of this letter.

Yours sincerely



Theresa Stinson  
Assistant Director – Media Case Management  
Freedom of Information

12 January 2012

**Enclosures:**

1. Copy of section 22 of the FOI Act
2. Credit card form
3. Fact Sheet: Freedom of Information – Your Review Rights