



Reference: Objective ID R31538230

**FOI 108/17/18 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:

*"Item 1: The top ten highest transactional value recorded in CMS for FY2016/17, for Defence Travel Card (DTC) and Defence Purchasing Card (DPC) expenditures for the following expense type expenditures:*

- \* Hotel Accommodation*
- \* Cash Advances*
- \* Airfares*
- \* Hospitality*
- \* Car Hire (self drive)*
- \* Taxis or similar car with driver expenditures*
- \* Meals*

*The above is for SES(E) level employees only (that is on cards issued in their name),*

*Item 2: The top 10 largest reimbursement payments to DTC/DPC accounts (held by SES(E) level employees) for FY2016/2017 (that is reimbursement using private funds to offset over-payments or non Departmental expenses transacted on DTC/DPC cards in the name of SES(E) level employees).*

*excluding personal email addresses, signatures, personnel (PMKeyS) numbers and mobile telephone numbers, contained in documents that fall within the scope of a FOI request and 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 81 documents as matching the description of the request. Please note that the transaction details for Serials 32 and 33 appear on the same report.

4. The decision in relation to each document is detailed in a schedule of documents.

5. I have added an FOI reference number and Item/Serial number to each of the documents, which corresponds with the schedule.

**Decision**

6. I have decided to:

- a. release one document in full;



- b. partially release 80 documents 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 47D 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 removed included identification numbers and the names of individuals who processed the transactions and not the SES employees.

### **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 Capability Acquisition and Sustainment Group.

### **Reasons for decision**

#### **Section 47D – Financial interests**

8. Upon examination of the documents, I found that they contained Defence Travel Card and Defence Purchasing Card numbers or part thereof. Release of these numbers would have a substantial adverse effect on the financial interest of the Commonwealth as it would provide third parties with sufficient information to fraudulently use Commonwealth funds. I consider the material is therefore conditionally exempt under section 47D of the FOI Act.

9. Section 11A(5) of the FOI Act provides that, if a document is conditionally exempt, it must be disclosed unless, in the circumstances access to the document at that time would, on balance, be contrary to the public interest.

#### **Public interest considerations – Section 47D – Financial interests**

10. In assessing whether disclosure is on balance, contrary to the public interest, I considered the range of factors set out in section 11B(3) of the FOI Act, which favours access to a document. I note that disclosure of the requested documents may promote some of the objects of the FOI Act, as information held by the Government is a national resource. However, the disclosure of the specific conditionally exempt material would not increase public participation in the Defence process, nor would it increase scrutiny or discussion of Defence activities.

11. While I consider that release of the material may be of some interest to the applicant, disclosure of the specific conditionally exempt material would not inform public debate on any matter of public importance in any meaningful way. Additionally, I do not consider that disclosure of the material would promote oversight of public expenditure.

12. None of the factors listed in section 11B(4) of the FOI Act were taken into account when making this decision.



13. After weighing up all of the above, I consider that, on balance the public interest factors against disclosure outweigh the factors for disclosure of the conditionally exempt material in the documents. Accordingly, I have decided that the specific material is exempt under section 47D of the FOI Act.



Ms Leonie Neiberding  
Accredited Decision Maker  
Chief Finance Officer Group

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