

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Notice Provided to the Ombudsman under section 39 of the Freedom of Information ACT 2016
(CMTEDD2021-242 and 243)**

**Presented by
Tara Cheyne MLA
Minister for Business and Better Regulation
March 2021**



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2020 242 and 243

Mr Michael Manthorpe PSM
ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Dear Mr Manthorpe

FREEDOM OF INFORMATION REQUEST – DECISION NOT MADE IN TIME

I refer to an access application which would appear to have been received by the Chief Minister Treasury and Economic Development Directorate on 7 October 2020 and 27 October 2020 made under the *Freedom of Information Act 2016* seeking:

- *Access to my personal information and how my complaint was assessed; and*
- *Access to the complete complaint file (200719-000164) including any internal correspondence of the assessment of the complaint and any correspondence between the Consumer Affairs Team and Golds Gym.*

I am writing to inform you that a decision regarding the release of the requested information was not made within the time allowed under section 40 of the Act. The due dates of the requests were 21 October 2020 and 10 November 2020. No extension was sought under section 41 or 42 of the Act.


This error was unfortunately due to the misplacement of the request within the business area of CMTEDD that initially received it.

The Information Access Team was made aware of the requests on 23 December 2020 via correspondence from your office. Both matters were finalised on 15 February 2020, with a full release of the requested information to the applicant.

The relevant business area has been informed and reviewed their internal processes. In addition, the business area will receive further training on 10 March 2021, that will focus on providing participants with a broad understanding of the FOI Act, principles of open access, and reinforce individual responsibilities under the FOI Act.

Yours sincerely

Kathy Leigh
Director-General



February 2021