

2020

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

**COMMUNITY SERVICES DIRECTORATE NOTICE PROVIDED UNDER SECTION 39
OF THE FREEDOM OF INFORMATION ACT 2016 (HACT-20/27)**

**Presented by
Yvette Berry MLA
Minister for Housing and Suburban Development**



ACT

Government

Community Services

Mr Michael Manthorpe
ACT Ombudsman
GPO Box 442
Canberra ACT 2601

Dear Mr Manthorpe,

Michael

FREEDOM OF INFORMATION REQUEST HACT 20/27 – DECISION NOT MADE IN TIME

I refer to an access application received by the Community Services Directorate (the Directorate) on 31 January 2020 made under the *Freedom of Information Act 2016* (the FOI Act).

The scope of the request relates to personal affairs and has not been provided due to privacy concerns, however, can be discussed with the Ombudsman's Office if required.

I am writing in accordance with section 39 (1) (c) of the FOI Act, to inform you that a decision regarding the release of requested information, was not made in the time allowed under section 40.

The time to decide this application under section 40 of the Act was 28 February 2020.

The Directorate contacted the applicant via email on 13 February 2020, seeking an extension of time under section 41(1) of the FOI Act. The applicant responded via email on 13 February 2020 and did not agree to the request.

On 24 February 2020, the Directorate applied to the Ombudsman for an extension of time under section 42 of the FOI Act (Ref: AFOI-ER/20/10007). On 12 March 2020, the Ombudsman provided the Directorate with a decision not to extend the time to decide the application under section 42 (3).

Despite the time to decide having expired, the Directorate will continue to deal with the application and give notice of a decision on the application once completed.

The Directorate has written to the applicant to advise of the deemed refusal, noting they will also receive a letter from your Office advising of the decision to not extend the time to decide.

Yours sincerely



Rebecca Cross
Director General
Community Services Directorate
17 March 2020