

2018

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

Chief Minister, Treasury and Economic Development Directorate

Chief Minister, Treasury and Economic Development Directorate notice to the
Ombudsman regarding FOI decision not made in time under the Freedom of
Information Act 2016

Presented by
Rachel Stephen-Smith MLA
Minister for Employment and Workplace Safety



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2018-229

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 20 July 2018 made under the *Freedom of Information Act 2016* seeking:

All records relating to the incident at the University of Canberra Hospital construction site on 4 August 2016 involving Herman Holtz, and without limiting the generality of the foregoing, to produce all: statements hand written, typed or otherwise; records of interview; photographs; witness statements; note book entries; reports; findings; and any other document or thing involving the incident on 4 August 2016.

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 date of the request was 20 August 2018. No extension was sought under section 41 or 42 of the Act.

This unfortunately was 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 request on 29 August 2018 and finalised the matter on 31 August 2018.

An all staff message was sent on 6 September 2018 reminding staff of their obligations under the Freedom of Information Act. In addition, the relevant business area has completed a review of processes and conducted a briefing for their staff in relation to this matter.

Yours sincerely

Kathy Leigh
Director-General

7 September 2018