

2022

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

PAPER FOR TABLING

**ACT GOVERNMENT SOLICITOR - NOTICE PROVIDED TO THE OMBUDSMAN UNDER
SECTION 39 OF THE *FREEDOM OF INFORMATION ACT 2016***

**Presented by
Shane Rattenbury MLA
Attorney-General
August 2022**

Australian Capital Territory
Government Solicitor



29 July 2022

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Dear Ombudsman

Access Application – Notice of Decision Not Made in Time

In February 2022 the ACT Government Solicitor (**ACTGS**) received a number of access applications from the same applicant made under the *Freedom of Information Act 2016* (**the FOI Act**).

The scope of the applications related to engagements of advisors in legal proceedings and associated decisions in respect of a specific legal matter involving the Public Trustee and Guardian.

I am writing to notify you that a decision on these access applications was not made within the statutory processing period allowed under the FOI Act. This is due to the impacts of COVID-19 on the operations of the ACT Government Solicitor, in particular the ability to access hard copy records in the Office and staff absenteeism.

The times to decide the applications under section 40 of the FOI Act were 7 March 2022, 15 March 2022 and 22 March 2022. Given the nature of the access application these were treated as one application. Notwithstanding the time for decision had past the processing of the application continued, and a decision was made on 20 July 2022.

In accordance with section 39(4) of the FOI Act, this notice will be tabled in the Legislative Assembly within the next three sitting days.

Please contact the ACTGS at actgso@act.gov.au if you have any queries relating to this matter.

Your sincerely

Lana Junakovic

Lana Junakovic
General Manager