

Weekly FOI State of Play – 25 February 2011

APPLICATIONS FOR INITIAL DECISION UNDER FOI ACT

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
883	ER2010/05549	Executive	[This section has been removed under s47F]	28/10/10	Documents provided to or generated by the Treasurer and/or Treasury staff which concern the proposed RSPT and/or the proposed MRRT			The application is broad and required consultation with the applicant. The applicant significantly reduced scope of the request. Now valid from 5 November 2010. Charges notified 19 November 2010. Deposit received 26 November 2010. 3 <sup>rd</sup> party consultations sent 30 November 2010.	Applicant advised of decision, 10 January 2011. Documents will be released in part once balance of charges has been received.

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
887	ER2010/05664	MG/FSD		2/11/10	<p>Advice to the Treasurer on policy options for boosting competition among banks – including options for altering the powers of the ACCC in relation to banking.</p> <p>Analysis of proposals by the Shadow Treasurer, Joe Hockey, to boost competition in the banking sector. Commonly referred to as a ‘nine point plan’ and announced in a speech on the 25th of October 2010.</p>			<p>Valid request. Clarified the scope of the request with the applicant on 9 November 2010.</p> <p>Seeking advice on cabinet material. 3<sup>rd</sup> party consultations will be sent 26 November 2010.</p> <p>Charges notified on 26 November 2010.</p> <p>7 December Applicant is contesting charges.</p> <p>Applicant has agreed to rule out Cabinet material, Action officer to send out a reassessment of charges.</p> <p>Revised charges forwarded to Applicant, 23 December 2010.</p> <p>Charges received in full, 10 January 2011.</p>	<b>21 February 2011.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
893	ER2010/05762	MG/FSD		8/11/10	All documents relating to the Cooper Review, excluding material already made public on website and or requested to be confidential by the originator.			Valid request. Wrote to Applicant, 22 November seeking contact details, need to consult with the Applicant as the request is very broad. Applicant advised the request is clear and he does not wish to discuss the documents. Advised applicant of the need to consult 3 <sup>rd</sup> parties. Charges notified on 3 December 2010. Applicant contesting charges, 5 January 2011. Revised charges sent 13 January 2011. 31 January Applicant seeks a waiver of all charges on public interest grounds. <b>Decision letter sent 18 February 2011.</b>	To be determined.
897	ER2010/05954	MG/FITPD		17/11/10	Documents relating to an off-market takeover by Wah Nam Australia for all the shares in FerrAus Limited.			Valid request. 3 <sup>rd</sup> Party consultation sent on 3 December 2010. Third party contesting release of material. Documents will be released once 3 <sup>rd</sup> party appeal has been resolved, 30 days.	Decision notified 17 January 2011. Documents yet to be released, 3 <sup>rd</sup> party contesting release of material.

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
898	ER2010/06000	MG/ICCD		19/11/10	Final report by PricewaterhouseCoopers regarding the review of consumer protection in the travel and travel related services industry, with a particular focus on the role of the Travel Compensation Fund (TCF).			Valid request. Consulting 3 <sup>rd</sup> parties. Charges notified 8 December 2010. Applicant contesting charges, 21 December. Notified applicant that charges waived 20 January 2011.	1 March 2011.

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
899	ER2010/06017	MEG/IG20		22/11/10	<p>Documents from 17 May 2008 relating to the:</p> <ul style="list-style-type: none"> <li>- role played by sovereign wealth funds in managing windfall revenue from commodities rich countries;</li> <li>- extent to which the rise in Australia's terms of trade over the last decade can be considered "permanent";</li> <li>- the extent to which spending by Govt of a windfall revenue from a decades-long commodities boom will drive up inflation, interest rates and the exchange rate, leading to a Gregory effect; and</li> <li>- extent to which the Govt's proposed increase in compulsory superannuation saving over the next decade will enable Australia to increase national saving and avoid the Gregory effect.</li> </ul>			<p>Valid request. Spoke with Applicant he has agreed to split the request into 3 separate requests, although we need to consult with him again as he asked for additional material. An email was sent seeking further clarification on 26 November 2010. Applicant confirmed scope of request, 15 December 2010. Applicant has agreed to extend timeframe to end of January 2011. Charges notified 20 January 2011. Some documents released 31 January 2011. Request was split into three requests.</p> <ol style="list-style-type: none"> <li>1. Advised Applicant not documents.</li> <li>2. No charge as too few documents.</li> <li>3. Decision and schedule sent 11 February 2011.</li> </ol>	<p>Applicant notified of decision and schedule 11 February 2011. Documents will be released once balance of charges received.</p>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
904	ER2010/06181	MG/FITPD		2/12/10	Takeover bid by Wah Nam for Brockman			Valid Request. Notified charges and 3 <sup>rd</sup> party consultation 17 December 2010. Charges received in full 13 January 2011.	<b>26 February 2011.</b>
908	ER2010/06351	RG/BTD		13/12/10	Material relating to meetings between Treasury officials and Western Australian officials pertaining to the mining tax, resources super profits tax or the mineral resource rent tax.			Valid Request. Applicant confirmed scope of request 15 December 2010. Charges sent 24 December 2010. 3 <sup>rd</sup> party consultations. Deposit received 5 January 2011.	<b>Decision and schedule sent to Applicant, 21 February 2011. Documents will be released once balance of charges has been received.</b>
914	ER2011/00239	FG/SPD		20/1/11	Economic impact of floods			Scope to be confirmed. Scope confirmed 25 January 2011. <b>Applicant agreed to further narrow the scope of request on 16 February 2011.</b>	<b>17 March 2011.</b>
915	ER2011/00261	MG/ICCD		20/1/11	Disclosure made by Graeme Samuels in the period July 2003 to date in accordance with s.17(3) of the Trade Practices Act 1974 to Hon Craig Emerson MP, Chris Bowen MP and Hon Peter Costello, when Treasurer.			Valid request. Deposit received 20 January 2011.	<b>19 February 2011.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
918	ER2011/00337	RG/PRID		27/1/11	Flood levy advice and modelling			Valid Request. <b>Charges notified 21 February 2011.</b>	<b>To be determined.</b>
919	ER2011/00341	FG/SPD		27/1/11	Options considered for funding government response to the Queensland floods			Valid Request. 8 February confirming scope with applicant. <b>Applicant confirmed scope 16 February 2011.</b>	<b>17 March 2011.</b>
920	ER2010/03601	MG/ICCD		1/02/11	Systemic barriers for grocery retailing (report)			Valid request. 4 February 2011 applicant has agreed to place the request on hold.	To be determined.
921	ER2011/00425	FG/SPD		2/02/11	Disability support pension payments			Valid request. 10 February applicant confirmed scope.	12 March 2011.

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
922	ER2011/00489	FG/SPD		7/02/11	Documents from 2009 and 2011 with information relating to: Commonwealth-state financing options for the federal government's planned health reforms, including alternatives to the states giving up a share of their GST revenues; the merits (ie arguments for or against) of the states giving up a share of their GST revenues; or implications for future state tax reform in the commonwealth taking a portion of the states' GST revenues.			Valid request. <b>Applicant confirmed scope 16 February 2011.</b>	<b>17 March 2011.</b>
923	ER2011/00505	RG/ITD		8/02/11	Access to documents (including briefings and/or reports) prepared for the purpose of analysing the effect of the \$1000 GST threshold for imported goods on the retail industry.			Valid request. <b>Applicant confirmed scope 16 February 2011.</b>	<b>17 March 2011.</b>



FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
924	ER2011/00520	MG/FIPTD		8/02/11	<p>Withdrawals of applications to invest in Australia, where applications are withdrawn before the 30 day deadline for FIRB to issue a ruling.</p> <p>Applications resubmitted to FIRB after having been withdrawn;</p> <p>Applications withdrawn, number of times the application resubmitted;</p> <p>Applications withdrawn, whether the application was submitted by an entity owned or controlled by a foreign government, including sovereign wealth funds;</p> <p>Applications withdrawn, the country to which the application pertains;</p> <p>Applications resubmitted, the country to which the applicant pertains;</p> <p>Any 90 day extension for an application imposed by FIRB under the Foreign Acquisitions and Takeovers Act 1975; and</p> <p>Any a 90 day extension for an application has been suggested by FIRB to a client.</p>			Valid request. <b>Emailed Applicant to set up a time to discuss scope of request, 17 February 2011.</b>	<b>To be determined.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
925	ER2011/00522	FG/SPD		8/02/11	Internal briefings, ministerial briefings and emails discussing further measures to restrict access to Family Tax B and A. Analysis and modelling on options for a new means test for Family Tax Benefit B below \$150k. Options to freeze the current means test to Family Tax Benefit B and A beyond 2012. Effect of further tightening of Family Tax Benefit eligibility on cost of other programs such as the education tax rebate.			Valid request. <b>Applicant confirmed scope of request 15 February 2011.</b>	<b>16 March 2011.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
926	ER2011/00574	MG/FIPTD		9/02/11	<p>All documents relating to the approval of the applicant by Yanzhou Coal Mining Company Limited to acquire full ownership of Felix Resources Limited (Felix) under the FATA.</p> <p>All documents relating to reports made to FIRB by Yanzhou on compliance with undertakings it made to the Treasurer.</p> <p>All documents relating to any application by Yanzhou or it's wholly owned subsidiary Yancoal Aust Joint Venture in Australia, which would result in control by the Company of over 90% of the Ashton Coal Mine Joint Venue.</p>			Valid request. <b>Called Applicant he is unavailable until 23 February 2011 to discuss request.</b>	<b>To be determined.</b>
927	ER2011/00575	RG/PRID		9/02/11	<p>Treasury documents since February 1, 2010 in respect to the FBT concession that apply to motor vehicles.</p> <p>Any work undertaken by Treasury in respect of this issue, including any correspondence between Treasury and the office of the Treasurer or any other Federal Minister.</p>			Valid request. <b>Called applicant to confirm scope 18 February.</b>	<b>To be confirmed.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
928	ER2011/00593	MG/ICCD		11/02/11	Disclosure made by Graeme Samuels in the period July 2003 to date in accordance with s.17(3) of the Trade Practices Act 1974 to Hon Craig Emerson MP, Chris Bowen MP and Hon Peter Costello, when Treasurer relating to financing of Austexx Group projects.			Valid request.	13 March 2011.
331	ER2011/00650	RG/TAD		14/02/11	<b>Mining and energy tax revenue - Treasury's estimates of the revenue State and Federal governments failed to capture during the energy/resources boom of the 2000s, and it's affects on the financial year and forward estimates</b>			<b>Valid request. Request on hold, Applicant considering request.</b>	<b>To be determined.</b>

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer &Ext	Status	Due Date
930	ER2011/00673	MEG/MPD		16/02/11	All correspondence between the Treasurer/Treasury and the Reserve Bank since 1 July 2010 regarding the composition and skill sets of, the Reserve Bank board, along with the latest register of potential nominees to the board.			Valid request.	18 March 2011
931	ER2011/00672	MEG/DED		16/02/11	Migration Program and Treasury's forecasts for unemployment.			Valid request.	Applicant has agreed to withdraw his request, 21 February 2011.
932	ER2011/00732	MG/FIPTD		18/02/11	Documents which show the agendas for all official meetings of the FIRB in 2010			Valid request	20 March 2011.
933	ER2011/00754	RG/BTD		21/02/11	Documents relating to proposed changes to the Petroleum Resource Rent Tax, from July 1 2010 to December 31 2010			Valid request	23 March 2011.

### APPLICATIONS FOR INTERNAL REVIEW

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer & Ext No	Status	Due date

### APPLICATIONS FOR REVIEW BY OFFICE of the AUSTRALIAN INFORMATION COMMISSIONER

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer & Ext No	Status	Due date
911A	<b>ER2011/00602</b>	MG/ICCD	[This section has been removed under s45]	21/01/11	Seeking parts of the incoming government brief, or Blue Book.			Applicant advised appeal lodged with Oaic. 18 February 2011 - official notification from Oaic.	To be advised.

### APPLICATIONS BEFORE THE ADMINISTRATIVE APPEALS TRIBUNAL

FOI No.	File No.	Area	Name/Company	Received	Subject	Reviewer/Decision Maker	Officer & Ext No	Status	Outcome
870b	ER2010/06088	MEG	[This section has been removed under s45]	22/11/10	Incoming government briefs			T-Documents to be filed by 10 December 2010. AAT Telephone conference listed for 23 December 2010. Applicant has sought an adjournment due the annual holidays, awaiting confirmation from the AAT. Teleconference listed for 25 January 2011. AAT hearing in Brisbane 31 March 2011.	

861b	ER2010/06111	MEG	[This section has been removed under s45]	26/11/10	Treasury estimates for revenue from the RSPT and the revised version of the tax.			T-Documents to be filed by 28 December 2010. AAT Telephone conference listed for 18 January 2010. AAT teleconference scheduled 28 February 2011.	
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**APPLICATIONS BEFORE THE FEDERAL COURT**

NO	FOI No.	File No.	Applicant	Received	Subject	Division/GP	Officer & Ext No	Status