

FOI Coordinator's Quick Reference Guide for Handling FOI Requests Covering Cabinet-related Documents

FOI Coordinators should:

- 1) Ensure they have a thorough knowledge of sections 34 and 47C of the FOI Act and the *FOI Guidance Notes* published on the web sites of the Attorney-General's Department and the Department of the Prime Minister and Cabinet.
- 2) Refer all Cabinet-related material covered by an FOI request to the FOI Coordinator at the Department of the Prime Minister and Cabinet (foi@pmc.gov.au or (02) 6271 5849), allowing at least 7 business days for consultation. Your agency is responsible in the first instance for identifying Cabinet-related material falling within the scope of an FOI request.
- 3) Transmit any Cabinet-related documents to PM&C in accordance with the Protective Security Policy Framework and its related guidelines and protocols. If an agency's email system does not support transmission of emails classified at the level of 'Protected: Sensitive: Cabinet', then documents should be transmitted via secure fax or by safe-hand delivery.
- 4) Carefully consider resource issues where a request potentially covers many and complex Cabinet-related documents requiring consultation with PM&C. Consider seeking the applicant's agreement to exclude Cabinet-related documents from the scope of the FOI request before committing to processing the request.
- 5) Ensure all documents referred to PM&C for comment are numbered. Ensure all relevant parts of Cabinet-related documents referred to PM&C for comment are clearly marked-up to identify any reference to a Cabinet deliberation or decision, or material connected to Cabinet deliberations, decisions or processes.
- 6) Provide with the documents referred to PM&C the terms of the FOI request, the date by which PM&C comments are required and a schedule of documents that includes for each document information about whether a matter was considered by the Cabinet, dates of such consideration, relevant submission or minute numbers, authority to take a matter to the Cabinet and any other relevant information about the connection of the document to Cabinet deliberations, decisions or processes, and your agency's proposed decision on the document. Consult your agency's Cabinet Liaison Officer if relevant Cabinet dates or reference numbers are not known.
- 7) Consult PM&C where their agency's decision claiming a Cabinet-related exemption is the subject of internal or external review.
- 8) Ensure that their agency does not make an access decision on, or release, Cabinet-related documents, until advice has been received from PM&C.