



## OFFICE OF THE PRIME MINISTER

FOI Reference: PM/23/040

To John Adams  
Email: [john@publiccrusader.com](mailto:john@publiccrusader.com)

Dear Mr Adams

Thank you for your email dated 21 April 2023 regarding a request to access documents under the *Freedom of Information Act 1982* (the Act).

### **Terms of FOI request**

You set out your FOI request in the following terms:

*I am seeking emails, documents, chat messages, handwritten notes and text messages on government issued mobile phones/tablets relating to the joint press conference between the Prime Minister, Minister for Industry and Pallion Group Limited which was held on Friday, 14 October 2022.*

### **Authorised decision-maker**

I am authorised to make a decision in this matter on the Prime Minister's behalf.

### **Material taken into account**

In reaching my decision I had regard to:

- the terms of your request
- the Act
- the Guidelines issued by the Information Commissioner, under section 93A of the Act

### **Decision**

I have decided to refuse access under section 24A(1) of the Act on grounds that reasonable steps have been taken and documents do not exist.

### **Reasons for decision**

Section 24A(1) of the Act provides, a Minister may refuse a request for access if:

- (a) *all reasonable steps have been taken to find the document; and*
- (b) *the agency or Minister is satisfied that the document:*
  - (i) *is in the agency's or Minister's possession but cannot be found; or*
  - (ii) *does not exist.*

I have had regard to the Guidelines which discuss the meaning of 'reasonable' in s 24A(1)(a) being of such an effort that would be appropriate or suitable to the circumstances<sup>1</sup>.

I have made inquiries with relevant staff who have knowledge of the matters which are the subject of your request and arranged for reasonable searches to be conducted for responsive documents. No relevant documents within the terms of your request were identified.

This is because you requested documents concerning a *'joint press conference between the Prime Minister, Minister for Industry and Pallion Group Limited'*, however there was no joint press conference between these parties.

I am satisfied that all reasonable steps have been taken and that documents do not exist.

### **Review rights**

If you disagree with the decision you may apply for Information Commissioner review within 60 days from the date of this letter. The Act does not provide for internal review of a decision by a Minister.

More information about review rights and how to apply is available at:  
[www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review](http://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review)

Yours sincerely



Simona Gory  
Senior Legal Adviser  
4 July 2023

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<sup>1</sup> Paragraph 3.88 of the Guidelines