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**Australian Government**  
**Independent Parliamentary**  
**Expenses Authority**

/2 September 2023

By email: [REDACTED]

Dear [REDACTED]

**Freedom of Information (FOI) Request 23-24-06**

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (FOI Act).

**Summary**

I, Nicole Pearson, am an officer under section 23(1) of the FOI Act to make decisions in relation to FOI request.

You requested access to documents relating to the Independent Parliamentary Expenses Authority (IPEA) on 15 May 2023. Specifically, you sought access to:

*".. any documents or emails from Defence to IPEA detailing a list of the dates and times of Richard Marles special purpose flights between 10 April 2022 and 21 May 2022 including the passenger manifests."*

**Decision and reasons for decision**

In making my decision, I have taken the following into account:

- the terms of your request
- advice provided to me by officers with responsibility for matters to which your request relates
- the provisions of the FOI Act; and
- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

Section 24A of the FOI Act relevantly provides that an agency or Minister may refuse a request for access to a document if all reasonable steps have been taken to find the document and the agency is satisfied that the document:

- is in the agency's possession but cannot be found; or
- does not exist.

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When considering a decision to refuse access under section 24A of the FOI Act, the Guidelines relevantly provide at paragraph 3.89 that an agency or Minister should take comprehensive steps to locate documents, having regard to:

- the subject matter of the documents;
- the current and past file management systems and the practice of destruction or removal of documents;
- the record management systems in place; and
- the individuals within an agency or minister's office who may be able to assist with the location of documents.

To identify the documents for your requested, I undertook a comprehensive search of IPEA's record keeping systems with reference to the scope of your request. I also consulted with the business area likely to hold documents relevant to your request.

Having regard to the above, I am satisfied that reasonable steps to locate the documents to which you have sought access were undertaken. I am also satisfied that the documents do not exist within IPEA's records holdings. I have therefore decided to refuse access pursuant to section 24A of the FOI Act.

### Questions about this decision

If you wish to discuss this decision, please contact me using the details below:

Nicole Pearson

Branch Manager

Transparency, Assurance and Legal Phone:

[REDACTED]

Email: [FOI@ipea.gov.au](mailto:FOI@ipea.gov.au)

Yours sincerely

[REDACTED]

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**Nicole Pearson**

Branch Manager, Transparency Audit & Legal

Independent Parliamentary Expenses Authority

One Canberra Avenue, FORREST ACT 2603

T: 02 6215 3000

### Attachments

Attachment A: Review rights