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

15 September 2023

By email: [REDACTED]

Dear [REDACTED]

**Freedom of Information (FOI) Request 23-24-11**

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 requests.

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

*"- any documents in your possession relating to the VIP RAAF trip from Brisbane to Sydney return on or around August 16 2023 that included Richard Marles as a passenger and any passenger manifests detailing who was on board including state premiers  
- any documentation involving charge backs to state premiers and or revealing the cost of the flight and the charges if any of passengers  
- any documentation of comcar trips around that date to and from the airport and to the Matilda's game"*

You further clarified the final point to mean:

*"all comcar activity related to passengers on that flight going there and back and while in Sydney"*

**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).

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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.

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 request, 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.

Although IPEA does hold COMCAR data, without the passenger manifest for the SPA flight on 16 August 2023 IPEA cannot provide COMCAR data in relation to the passengers that were on board the flight, per your request.

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]

Nicole Pearson

Branch Manager, Transparency Audit & Legal  
Independent Parliamentary Expenses Authority  
One Canberra Avenue, FORREST ACT 2603

T: [REDACTED]

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**Attachments**

Attachment A: Review rights

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