

Schedule of documents – Freedom of information request no. [FOIREQ24/00352]

Note: Business areas tasked with FOI search and retrieval are required to complete the following schedule of documents and attach all relevant documents for the FOI decision makers consideration

Document no.	Page no.	Date	No. of pages	Description	Decision on access	FOI Act Provision/Exemption
1. NDBs rec'd by sector ACT Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for ACT Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. • have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue

						<p>and deliver outcomes in the manner expected.</p> <p>This is because the information subjected to this request held by the DBN Team has been provided to it by entities voluntarily.</p> <p>The NDB team therefore considers, on balance, that the public interest under s 11A(5) of the FOI Act weighs against access to this information because it would reasonably be expected to prejudice:</p> <ul style="list-style-type: none">• the flow of DBN-related information to the OAIC as a regulatory authority.• the OAIC's ability to obtain both confidential and similar information in the future from respondents that experience an EDB. <p>The NDB management function of the OAIC.</p>
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2. NDBs rec'd by sector Australian Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for Australian Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. • have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue and deliver outcomes in the manner expected. <p>This is because the information subjected to this request held by the DBN Team has been</p>
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3. NDBs rec'd by sector Local Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for Local Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI</p>

					<p>- Kinds of PIs affected</p>	<p>request) because disclosure would:</p> <ul style="list-style-type: none">• prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme.• have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue and deliver outcomes in the manner expected. <p>This is because the information subjected to this request held by the DBN Team has been provided to it by entities voluntarily.</p> <p>The NDB team therefore considers, on balance, that the public interest under s 11A(5) of the FOI Act weighs against</p>
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4. NDBs rec'd by sector NSW Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for NSW Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme.

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5. NDBs rec'd by sector NT Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for NT Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be

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6. NDBs rec'd by sector QLD Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for QLD Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. • have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue and deliver outcomes in the manner expected. <p>This is because the information subjected to this request held by the DBN Team has been</p>
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7. NDBs rec'd by sector SA Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for SA Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI</p>

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8. NDBs rec'd by sector TAS Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for TAS Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme.

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9. NDBs rec'd by sector VIC Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for VIC Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be

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10. NDBs rec'd by sector WA Government	1	16/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for WA Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. • have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue and deliver outcomes in the manner expected. <p>This is because the information subjected to this request held by the DBN Team has been</p>
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Schedule of documents – Freedom of information request no. [FOIREQ24/00352]

Note: Business areas tasked with FOI search and retrieval are required to complete the following schedule of documents and attach all relevant documents for the FOI decision makers consideration

Document no.	Page no.	Date	No. of pages	Description	Decision on access	FOI Act Provision/Exemption
1. NDBs rec'd by sector, all gov	1	30/7/2024	Excel Sheet	NDB Report for matters received between 1/1/2020 – 5/7/2024 for All Government	<p>released in part, with deletions of the following:</p> <ul style="list-style-type: none"> - File number - Name of entity - Date of aware - Exact number of people affected - Description of data breach - Kinds of PIs affected 	<p>The NDB team is of the view that this document subject to this request should be partially exempt from disclosure (where it would normally under s 47E(d) of the FOI Act under an FOI request) because disclosure would:</p> <ul style="list-style-type: none"> • prejudice the future supply of information to the OAIC for the purpose of administering the NDB scheme. • have a substantial adverse effect on the operation of the NDB function of the OAIC, such that the scheme would not be able to continue

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From: s22
To: s22; [OAIC - FOI](#)
Cc: s22; s22
Subject: Re: [For noting only] FOIREQ24/00423 - Executive notification of IR request [SEC=OFFICIAL]
Date: Thursday, 12 September 2024 8:36:52 PM
Attachments: [image001.jpg](#)
[image003.jpg](#)

Hi all,

While I share the inclination towards transparency wherever possible, I think the matter is quite complex and it's worth considering the policy objectives of the NDB scheme. The scheme requires notification of data breaches to the OAIC primarily for the purpose as I see it of enabling the OAIC's oversight over notification of the breach to individuals. The NDB scheme doesn't invoke the OAIC's powers in any other way, e.g. notification to the OAIC doesn't involve any verification by the OAIC of the handling of the breach, remediation etc. Notifying the OAIC is a step towards notifying individuals, which won't be required on all occasions. It seems to me if parliament intended there to be transparency around all entities who have been subject to a data breach, they would have just put the obligation on entities to make a public statement or notifying individuals directly? If we publish the names of entities notifying to the OAIC, it may in some cases frustrate the regime as we would be overriding the entities' own compliance considerations regarding individual notification/public statement.

I admit however I don't know a lot about the background of the scheme, so would appreciate s22 and others' context on that.

Additionally, I have concerns that if we were to routinely publish the names of entities notifying to the OAIC that entities would be less likely to notify, thus undermining the benefits the scheme seeks to achieve for the Australian community. [s 47C and 47E\(d\)](#)

[REDACTED]

I trust colleagues in the NDB team have more nuanced thinking on this, however, so looking forward to seeing your full submissions tomorrow s22.

s22

From: s22
Sent: Thursday, September 12, 2024 6:48 PM
To: s22; [OAIC - FOI <FOI@oaic.gov.au>](#); s22
Cc: s22

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Re: [For noting only] FOIREQ24/00423 - Executive notification of IR request [SEC=OFFICIAL]

Dear Colleagues

Perhaps we can work towards a revised approach in communicating with agencies under the scheme as I like others see regulatory value in identifying the entity. Additionally there are issues of the independent exercise of our regulatory responsibilities to consider.

Kind regards

s22

From: s22

Sent: Thursday, September 12, 2024 5:02:07 PM

To: s22 OAIC - FOI <FOI@oaic.gov.au>; s22

Cc: s22

Subject: RE: [For noting only] FOIREQ24/00423 - Executive notification of IR request [SEC=OFFICIAL]

Hi s22

Agree with your sentiments that we ought to change the agency's previous approach, and release the name of organisations/agencies. However there are some complexities with this specific request that we are considering, including:

- We have represented to agencies that we collect the information in confidence
- The data includes notifications that have been made on a voluntary basis
- There are instances where the agency has relied on, or is seeking to rely on an exception, where disclosing details of the data breach is likely to prejudice an enforcement related activity.

We will be providing a detailed submission to Legal outlining the above factors in further detail by tomorrow (the due date).

s22

From: s22

Sent: Wednesday, September 11, 2024 4:39 PM

To: OAIC - FOI <FOI@oaic.gov.au>; s22

Cc: s22

s22

Subject: RE: [For noting only] FOIREQ24/00423 - Executive notification of IR request
[SEC=OFFICIAL]

Dear s22

Thanks for raising this.

I am a bit surprised to hear that we have withheld the names of agencies in the past so I don't object to release. As a general premise it seems to me that the more information we can release in relation to reported NDBs the better but I appreciate that there can be complexities in relation to the specific content of documents.

I appreciate that descriptions of the breach might have the potential to impact on the operation of reporting agencies (depending on the description) but it isn't clear to me how it would have a substantial and adverse impact on the OAIC's operations unless reporting is voluntary. I therefore agree with your inclination to release the information but interested in the views of others who have a more detailed understanding of the NDB scheme as I may well be missing an important consideration (noting local and state governments are within scope I wondered whether Cth/State relations are an issue but I wouldn't necessarily support this as a new exemption claim at internal review).

Regards

s22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Monday, September 9, 2024 1:50 PM

To: s22

Cc: s22

OAIC - FOI

<FOI@oaic.gov.au>; s22

Subject: RE: [For noting only] FOIREQ24/00423 - Executive notification of IR request

[For noting only – no action required]

Good morning s 22

FOI IR Request

The OAIC received a request for IR from CR (right to know) in relation to an FOI Decision

made by the delegate on 5 August 2024. The original request (FOIREQ24/00352) was for:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

Background

The documents released to the applicant in relation to the FOI decision are available on the disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The decision did not release the file number, the date of the breach, the name of the agency or details of the breach. These were considered exempt under s.47E(d) of the FOI Act. The OAIC has not previously released the individual names of agencies or organisations that have reported data breaches under the Notifiable Data Breaches Scheme (NDBS).

Consultation

As the delegate, I am consulting with the NDB team in relation to this request as I am not satisfied that the disclosure of the exempt material would have a substantial and adverse effect on the operations of the OAIC or that the factors against disclosure outweigh the factors for disclosure in relation to this information. I have not made a final decision in relation to this request and am awaiting further submissions.

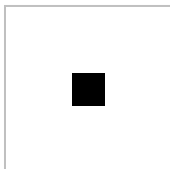
Because the OAIC has not previously released the names of an agencies or organisations that have reported data breaches under the NDBS, I am also seeking the submissions of [s 22](#) in relation to this information and its possible release. Could you please provide any submissions by **cob Monday 16 September 2024**. Alternatively, I would be happy to arrange a meeting to discuss the issues if preferred.

FOI Decision

A decision is due in relation to this matter on **Wednesday 25 September 2024**. A further notification will be provided prior to this date.

Do not hesitate to contact me should you have any further queries in relation to this matter.

Regards,



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: s22
To: OAIC - FOI
Cc: s22
Subject: RE: FOIREQ24/00423 FW: Internal review of Freedom of Information request - Government data breach reports from 2020 [SEC=OFFICIAL]
Date: Friday, 13 September 2024 10:47:34 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

Dear s22

We note that Legal Services has sought the views of s 22 about this matter and we would like to defer to s 22 for the agency's position or approach going forward about the release of the names of agencies/organisations. While we see value in publishing names of entities notifying the OAIC (which may be the practice of other jurisdictions), this would be a significant departure from our previous position that would require a considered and consultative approach.

With this specific request, we consider that there are some complexities and factors that weigh against disclosure. We have outlined these below:

1. The OAIC has represented to reporting entities that we collect the information in confidence, particularly any information provided in Part 2 of the form. The NDB form currently states:

Part two of the form is optional... and you may request that it be held in confidence by the OAIC. And further - The OAIC will respect the confidence of commercially or operationally sensitive information provided voluntarily in support of a data breach notification, and will only disclose this information after consulting with you, and with your agreement or where required by law.

Part 2 of the form includes "the number of people affected (range)" which has already been released to the applicant; releasing the name of the agencies, in addition to information previously supplied, will in effect, also release information expected by entities to be kept confidential by the OAIC.

2. Releasing the names of the agencies, could reasonably be expected to have substantial adverse effect on the operations of the OAIC and/or the objective of the NDB scheme to promote notification to affected individuals at risk of serious harm as:
 - a. Releasing information provided by agencies in Part 2 of the NDB form (as outlined above) is likely to affect the willingness of agencies to voluntarily provide this information either upfront in the NDB form or in response to

our preliminary inquiries. The only alternative to seeking this information is to issue a compulsory information-gathering notice under s 26WU of the Privacy Act (the delegation currently sits at SESB1 or above), which is time consuming and impact our ability to respond to an incident efficiently

- b. Compliance with the NDB scheme generally relies on good faith of regulated entities, including agencies, to undertake assessments of data breaches and notify the OAIC. Releasing the names of the agencies may result in under-reporting of data breaches under the NDB scheme by agencies and organisations, and reduced notifications to affected individuals. This would undermine the objectives the scheme to enable individuals to take agency and take positive steps to minimise risk of harm as a result of an incident
 - c. Specifically, the NDB team has observed instances that may indicate underreporting or reluctance to report data breaches by agencies, or that agencies take a longer time to notify of an incident. The OAIC has taken steps to increase engagement with agencies to promote timely notification and appropriate assessment - while we are seeing a general increase in agency notifications, it is not at the level we would expect given the amount of personal information held by agencies. Releasing the names of all the agencies in the document will likely have an adverse effect on the current trajectory of increasing notifications.
 - d. Notification to the OAIC, at times, enables the OAIC's oversight of the notifying agency's assessment of the incident and whether notification of the incident to individuals ought to occur. Notification to affected individuals is not required in all data breach instances notified to the OAIC (outlined further in the points below).
3. The following ^{s47C} data breach notifications in the document bundle are secondary matters, where an agency may not have an obligation to notify the OAIC because an exception under s 26WM applies and so the notification is likely to have been voluntarily made:

A large, bold, blue graphic consisting of the letter 'S' followed by the number '22', set against a solid black rectangular background.

s 22

s 47C and 47E(d)

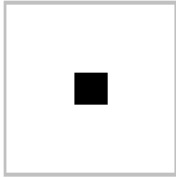
s 22

s 47C and 47E(d)

s 22 (which also appears in the list of matters in point 3 above).

Regards,

s22



s22 <he/him>
Assistant Director | Notifiable Data Breaches | Dispute Resolution
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
s22

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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-----Original Message-----

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Friday, September 6, 2024 4:54 PM

To: s22

Cc: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 FW: Internal review of Freedom of Information request - Government data breach reports from 2020

Good afternoon s22 and s22,

Thank you s22 for discussing the internal review request with me this afternoon. As discussed, we have received a request for IR for decision made in relation to NDB scheme (the marked up documents are attached).

The original decision exempted material under s.47E(d) on the basis that its disclosure could reasonably be expected to have substantial adverse effect on the operations of the agency and it was not in the public interest to release this information. I am considering this position further.

In particular the FOI Guidelines provide that

6.14 The test requires the decision maker to assess the likelihood of the predicted or forecast event, effect or damage occurring after disclosure of a document.

6.15 The use of the word 'could' is less stringent than 'would' and requires analysis of the reasonable expectation rather than the certainty of an event, effect or damage occurring. It may be a reasonable expectation that an effect has occurred, is presently occurring, or could occur in the future.

6.16 The mere risk, allegation, possibility, or chance of prejudice does not qualify as a reasonable expectation. There must be, based on reasonable grounds, at least a real, significant or material possibility of prejudice, if they can be included without disclosing exempt material (s 26, see Part 3).

It would assist me to further consider this issue if you could make further submissions on the real, significant or material possibility of the prejudice occurring (i.e. is there any evidence that disclosure particularly of the name of agencies would effect the willingness of agencies to report)

In addition, to meeting the above test, I must also consider the public interest factors in deciding whether or not to release the material. It would also assist if you could consider any public interest factors against disclosure of this information that may be relevant. To ensure

compliance with statutory timeframes could you please provide any further submissions by cob next Friday 13 September 2024.

I will further consider whether internal consultation with s 22 [REDACTED] may be appropriate. I will let you know if this occurs.

Do not hesitate to contact me if you would like to discuss this matter further.

Regards,

s22 [REDACTED] (she/her)

Senior Lawyer

Office of the Australian Information Commissioner Sydney | GPO Box 5288 Sydney NSW 2001 P

s22 [REDACTED]

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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-----Original Message-----

From: CR <foi+request-11183-7373c2f0@righttoknow.org.au>
Sent: Monday, August 26, 2024 10:58 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: Internal review of Freedom of Information request - Government data breach reports from 2020

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Office of the Australian Information Commissioner,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of the Office of the Australian Information Commissioner's handling of my FOI request 'Government data breach reports from 2020' (FOIREQ24/00352).

I am seeking a review on the following grounds:

1. I disagree with the decision-maker's decision to redact material on the basis that disclosure would or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the OAIC's operations. Please refer to the decision-maker's statements.
 - i. It is possible that disclosing this information would encourage the OAIC to act more quickly, as it would be subject to public scrutiny.
 - ii. The decision-maker's concern that government agencies might be reticent to provide information if their identities are revealed is unfounded, as the legal obligation to report eligible data breaches would remain unchanged.
 - iii. The decision-maker implies that disclosure could discourage government agencies from providing voluntary information beyond the minimum requirements. The reliance on voluntary information is misplaced. The FOI Act aims to ensure access to information, not incentivise voluntary disclosure. The public's right to know should not be contingent on the goodwill of government agencies. Furthermore, the OAIC can address any concerns about voluntary disclosure through other means, such as providing guidance or incentives for comprehensive reporting.
 - iv. If there was an actual impact on the proper and efficient conduct of the OAIC's operations, it would not rise to the level of 'substantial and adverse'.

2. The decision-makers application of the public interest test was flawed for the following reasons:

2.1 The decision-maker failed to consider the following factors in favour of disclosure:

- i. Disclosure would allow the public to make better-informed decisions about their interactions with government agencies. Currently, there is no way an individual can consider an individual government agency's track record of data privacy and security when deciding whether to share their personal information or not. I note that the OAIC publishes aggregate data in its Notifiable Data Breaches Report. However, the public interest in understanding the specific risks associated with individual agencies is not adequately served by aggregate data alone.

ii. Disclosure would allow or assist inquiry into possible deficiencies in the conduct or administration of an agency. [FOI Guidelines 6.231] iii. Disclosure could reveal deficiencies in privacy legislation. [FOI Guidelines 6.231]

2.2 The decision-maker incorrectly considered the following factors that do not favour disclosure:

A) The decision maker states, "Disclosure would have an adverse effect on the OAIC's proper and efficient operations relating to receiving full and frank disclosure of actual or suspected data breaches from Australian Government agencies."

i. The frankness and candour argument in the FOI context has been discussed in numerous previous decisions of the Information Commissioner, the AAT, and the courts. Public servants 'are expected to operate within a framework that encourages open access to information and recognises Government information as a national resource to be managed for public purposes'. The FOI Guidelines refer to the FOI Act recognising that Australia's democracy is strengthened when the public is empowered to participate in Government processes and scrutinise Government activities. The FOI Guidelines further state that 'In this setting, transparency of the work of public servants should be the accepted operating environment and fears about a lessening of frank and candid advice correspondingly diminished.'

B) The decision maker states, "Disclosure would undermine the confidence and trust in the OAIC as a regulator to deal with matters it regulates in a sensitive and timely manner."

i. 'Access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government' is an irrelevant factor as described in s 11B(4) of the FOI Act and therefore was incorrectly considered in the public interest test.

C) The decision maker states, "Disclosure would reasonably be expected to delay the OAIC's consideration of, and ability to, take further regulatory action in response to an eligible data breach if entities are reluctant to provide timely, full and frank information if their respective identities may be disclosed."

i) As previously stated, government agencies should start with the assumption that public servants are obliged by their position to always provide robust and frank advice and that obligation will not be diminished by the transparency of government activities.

D) The decision maker states, "In case of a breach which meets the requisite threshold of 'serious harm', entities regulated by the Privacy Act are required to notify individuals affected by an eligible data breach of the nature of the breach, inclusive of the type of information captured in their reporting to the OAIC."

i. This is not relevant to the public interest test.

ii. I note that the decision-maker explains that individuals directly affected by data breaches are notified of the breach, however, the public interest extends beyond individual impact. Data breaches have systemic consequences, such as undermining public trust in government agencies or exposing vulnerabilities in critical infrastructure. By disclosing agency names, the public can engage in informed discussions about these broader implications and advocate for policy changes to improve data security.

2.3 The public interest in transparency and accountability outweighs any potential harm to the OAIC's operations. Given the high level of public concern about data breaches and the

importance of government transparency, the public interest in knowing which agencies are responsible for these breaches is significant. This interest outweighs any speculative harm to the OAIC's operations. This information is crucial for informed public debate, holding agencies accountable, and assessing the effectiveness of government data protection measures. The OAIC's role is to protect the privacy of Australians, and this includes providing them with the information they need to make informed decisions about their interactions with government agencies.

3. The decision-maker states, "As outlined in my decisions above, in my view based on the information before me at this time, I have concerns that disclosure of the nature and specific details of the information in a public forum such as via Right to Know, is likely to prejudice the abilities of these agencies in responding to the data breaches, and the OAIC's ability to gather similar information to assess these breaches in the future."

i) The forum of an FOI request is irrelevant to the decision to deny access to information. FOI applicants have the right to publish disclosed information, and the disclosed documents become accessible to the public via the OAIC's disclosure log.

I am prepared to escalate this matter to the AAT if necessary. Therefore, I respectfully request that this internal review be conducted by a more senior decision-maker, such as a Principal or Senior Officer.

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.righttoknow.org.au/request/government_data_breach_reports_f

Yours faithfully,

CR

Please use this email address for all replies to this request:

foi+request-11183-7373c2f0@righttoknow.org.au

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<https://www.righttoknow.org.au/help/officers>

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If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 9:59 AM

To: s22 [redacted]
[redacted]

Cc: s22 [redacted]
[redacted]
[redacted]
[redacted]
[redacted]

[redacted] OAIC - FOI <FOI@oaic.gov.au>

Subject: RE: FOIREQ24/00423 Consultation with agencies - Government data breach reports from 2020 [SEC=OFFICIAL]

Good afternoon s 22 [redacted]

Thank you for your input into this matter. I have further considered your emails in addition to below submission from s22 [redacted]. I have also considered the submissions made by the applicant in relation to this matter.

Government agency names / OAIC reference number

Three main submissions have been made in relation to redaction of agency names under s.47E(d) of the FOI Act. These are:

- Release of the names may circumvent the intention of the scheme;
- Compliance with NDB scheme relies on the good will of agencies; and

- Release of names may result in underreporting by agencies.

To meet the conditional exemption in s.47E(d) it must be demonstrated that there would or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the OAIC's operations. The FOI Guidelines at paragraph 6.16

6.16 The mere risk, allegation, possibility, or chance of prejudice does not qualify as a reasonable expectation. There must be, based on reasonable grounds, at least a real, significant or material possibility of prejudice, if they can be included without disclosing exempt material (s 26, see Part 3).

Based on the submissions and further discussions with line area, I do not consider there is sufficient information available **at this time** to demonstrate with reasonable expectation that the release of agency names would result in underreporting by agencies or that compliance of the scheme relies on the good will of agencies. Compliance with the NDB scheme does not rely on the good will of agencies, it does rely on agencies complying with their legal obligations under the NDB Scheme. In addition, there is no evidence to suggest that the release of agency names would result in underreporting by agencies subject to the NDB scheme. The line area has conducted an audit of one commonwealth agency which suggested underreporting by that agency under the NDB Scheme. But there is no further evidence to demonstrate that this underreporting is more widespread or that releasing the names of agencies with high level data about a data breach under FOI would contribute to underreporting.

Consultation with affected agencies

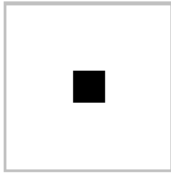
I propose to consult with the affected agencies to seek their views on the disclosure of this information. There are potentially 99 government agencies affected and a single email bcc to each agency seeking their views will be sent today **Wednesday 18 September 2024**. Responses will be due by lunchtime **Monday 23 September 2024**. Any responses will be considered prior to the decision being finalised.

Risk of deemed decision

The internal review decision is **due Wednesday 25 September 2024**. This is a complex review with wider implications for the OAIC and the NDB team. There is currently on 2 days for decision making following return of consultation responses in relation to this matter which may not be sufficient. The only extension of time available to internal review is under s.54D of the FOI Act (application to the OAIC) which is not available in relation to this matter due the internal policy which prevents applications to the OAIC for extension of time. We note that this matter has been requested via right to know website. We will continue to work towards the due date noting that an additional internal resource may be made available to the FOI processing team but given the current due date this may not assist in relation to this matter. I will provide you an additional update early next week.

Regards,

s22



s22 (she/her)
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
s22

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-----Original Message-----

From: CR <foi+request-11183-7373c2f0@righttoknow.org.au>

Sent: Monday, August 26, 2024 10:58 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: Internal review of Freedom of Information request - Government data breach reports from 2020

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Office of the Australian Information Commissioner,

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I am seeking a review on the following grounds:

1. I disagree with the decision-maker's decision to redact material on the basis that disclosure would or could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the OAIC's operations. Please refer to the decision-maker's statements.
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iv. If there was an actual impact on the proper and efficient conduct of the OAIC's operations, it would not rise to the level of 'substantial and adverse'.

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2.1 The decision-maker failed to consider the following factors in favour of disclosure:

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A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.righttoknow.org.au/request/government_data_breach_reports_f

Yours faithfully,

CR

Please use this email address for all replies to this request:
foi+request-11183-7373c2f0@righttoknow.org.au

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From: [OAIC - FOI](#)
To: [OAIC - FOI](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024
Date: Wednesday, 18 September 2024 1:47:14 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

s22

Senior Lawyer
Office of the Australian Information Commissioner



Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [\(Shared\) FOI & IPS Mailbox](#)
To: [OAIC - FOI](#)
Cc: [\(Shared\) FOI & IPS Mailbox](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Wednesday, 18 September 2024 1:55:51 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image005.jpg](#)
[image006.png](#)
[image004.jpg](#)

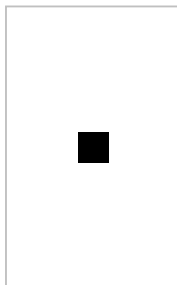
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Dear **s22**

Your ref: FOIREQ24/00423
Our ref: FOI2024101

Thank you for your email, we will assess this request and respond as soon as possible, noting your deadline of 1pm Monday 23 September.

Kind regards,



s22 | Executive Officer
Office of the Official Secretary to the Governor-General
Government House, Canberra ACT 2600

s22
| W: www.gg.gov.au |

Australian Honours: [Nominate](#) a worthy Australian.

The Office acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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- Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

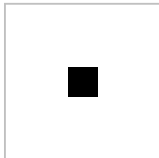
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s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [Webmaster](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Wednesday, 18 September 2024 2:15:58 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

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Good afternoon,

Thank you for your email.

Your enquiry has been forwarded to the Legal department for further action.

Kind regards,

NSW Rural Fire Service

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

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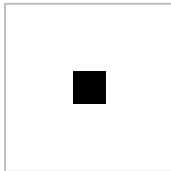
- The name of the agency
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Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

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s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [INFORMATION.ACCESS](#)
To: [OAIC - FOI](#)
Subject: LEX 70383 - Courtesy Consult - FOIREQ24/00423 [SEC=OFFICIAL]
Date: Wednesday, 18 September 2024 2:41:21 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)
[image006.jpg](#)

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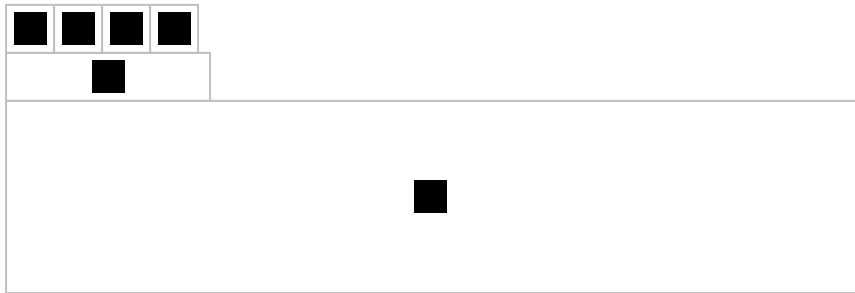
Good afternoon **s22**

Your courtesy consultation email received today for FOIREQ24/00423 has been registered as LEX 70383.

A response will be provided in due course.

Regards

s22 | Information Access Registrations Officer
Position Number | 62211034
Information Access Unit | Client and Information Access Branch
Ministerial, Communication & Engagement Division
Department of Veterans' Affairs
1800 VETERAN (1800 838 372)
Information.Access@dva.gov.au
www.dva.gov.au



From: s22
To: OAIC - FOI
Cc: s22
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Wednesday, 18 September 2024 4:04:12 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.gif](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.jpg](#)
Importance: High

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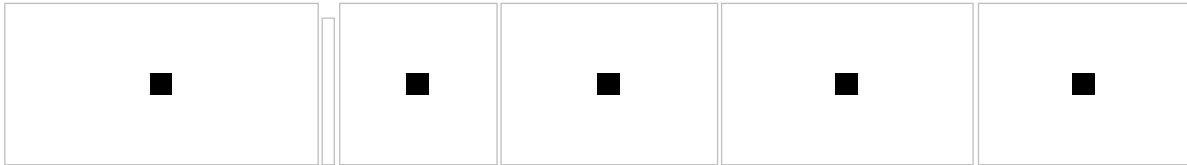
Good afternoon, s22

Further to your below email, confirming that – as Adelaide Venue Management’s FOI Contact Officer – I am comfortable with you disclosing the following in this instance.

- The name of the agency
- The OAIC reference number associated with the reported breach

Best regards,

s22
Chief Executive Officer
s22



Adelaide Venue Management Corporation (ABN:50 676 936 954)
Adelaide Convention Centre, North Terrace, Adelaide SA 5000
Correspondence: GPO Box 2669, Adelaide SA 5001, Australia

Adelaide Venue Management acknowledges the Kaurna people as the traditional custodians of the land where we work and gather. We pay our respects to elders past, present and future.

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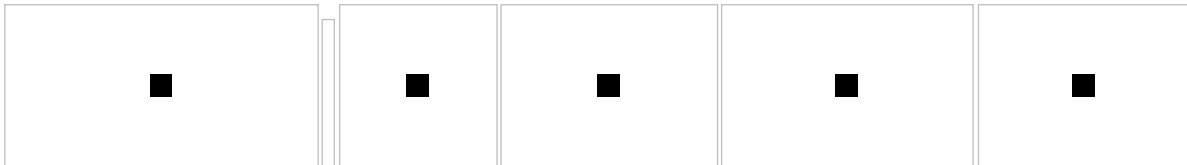
From: s22 >
Sent: Wednesday, 18 September 2024 1:22 PM
To: s22
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Importance: High

Hi s22

Please see below received to our general enquiries email.

Kind regards,

s22
s22
Communications Manager
s22



Adelaide Venue Management Corporation (ABN:50 676 936 954)
Adelaide Convention Centre, North Terrace, Adelaide SA 5000
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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, 18 September 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

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- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

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Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



S22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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s 47C and 47E(d)

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, 18 September 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024
[SEC=OFFICIAL]

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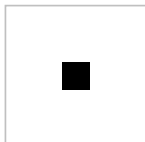
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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From: [\(Shared\) FOI & IPS Mailbox](#)
To: [OAIC - FOI](#)
Cc: [\(Shared\) FOI & IPS Mailbox](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Wednesday, 18 September 2024 5:12:55 PM
Attachments: [image003.png](#)
[image005.jpg](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)
[image001.jpg](#)

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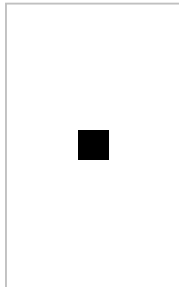
Dear **s22**

Your ref: FOIREQ24/00423
Our ref: FOI2024101

Thank you for consulting with the Office of the Official Secretary to the Governor-General and providing background for this FOI. The Office has no concerns with the decision of OAIC to release the additional information as described.

Kind regards,

s22



s22 | Executive Officer
Office of the Official Secretary to the Governor-General
Government House, Canberra ACT 2600

T: **s22**
E: **s22** | W: www.gg.gov.au |

Australian Honours: [Nominate](#) a worthy Australian.

The Office acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.

From: (Shared) FOI & IPS Mailbox <FOI.IPS@gg.gov.au>
Sent: Wednesday, September 18, 2024 1:56 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: (Shared) FOI & IPS Mailbox <FOI.IPS@gg.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

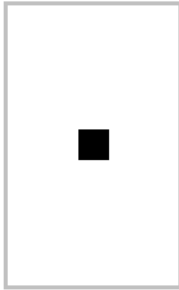
Dear **s22**

Your ref: FOIREQ24/00423
Our ref: FOI2024101

Thank you for your email, we will assess this request and respond as soon as possible, noting your

deadline of 1pm Monday 23 September.

Kind regards,



s22 | Executive Officer
Office of the Official Secretary to the Governor-General
Government House, Canberra ACT 2600

T: **s22**

E: **s22** | W: www.gg.gov.au |

Australian Honours: [Nominate](#) a worthy Australian.

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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

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- The name of the agency
- The OAIC reference number associated with the reported breach

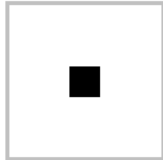
I am not considering releasing any further information that is contained within the document, apart from that listed above.

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Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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From: s22
To: [OAIC - FOI](#)
Cc: [info@law](#)
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 7:51:52 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

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Hi s22

We are looking at your request now. We would be grateful if you could please provide the reasons given by the OAIC for finding that section 47E(d) applied in relation to the relevant data fields, so that we can give full consideration to your request.

Kind regards,

s22
**Special Counsel - Privacy
Corporate and Commercial
Legal Services Group**

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From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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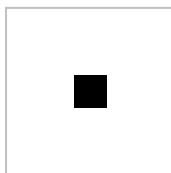
- The name of the agency
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [FOI](#)
To: [OAIC - FOI](#)
Cc: [FOI](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 8:13:27 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

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Dear **s22**

Thank you for consulting CSIRO.

CSIRO will review the document and provide any comments as soon as possible, noting your deadline of **1pm, Monday 23 September 2024**.

Kind regards,

s22

FOI Administrative Officer
Enterprise Legal | CSIRO

s22

Rivett Building, Gate 5, Normanby Road, Clayton VIC 3168
Postal Address: CSIRO, Private Bag 10, Clayton South VIC 3169

CSIRO acknowledges the Traditional Owners of the land, sea and waters, of the area that we live and work on across Australia. We acknowledge their continuing connection to their culture and we pay our respects to their Elders past and present.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, 18 September 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

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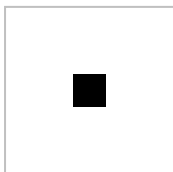
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Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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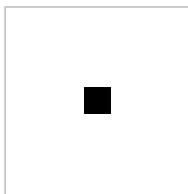
From: [Privacy and Right To Information](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 9:19:13 AM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.jpg](#)

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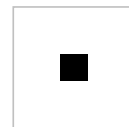
Good morning **s22**

We do not object to the release of the name of our agency nor the OAIC reference number for our reported breaches.

Kind regards, **s22**



s22, CertGovPrac CSA, BMmSt CQU, GradCertQA, MTertEd(Mgt) *Melb*
Director Governance/University Secretary | Corporate Services Division
CQUniversity Australia
554-700 Yaamba Road, Norman Gardens, *Darumbal Country*, QLD 4701
s22



I respectfully acknowledge the Traditional Owners of the land on which we work and learn, and pay respect to the First Nations Peoples and their Elders, past, present and future.

If you are a student needing mental health support contact [Student Counselling](#) on **07 4930 9456** (8:30 am to 4:30 pm AEST) or the [CQUni Out of Hours Student Support Line](#) on **1300 226 987** or text **0480 097 747** (outside business hours).

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CRICOS: 00219C | RTO Code 40939

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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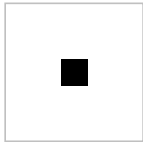
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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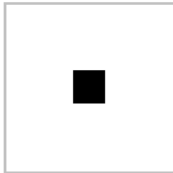
From: [OAIC - FOI](#)
To: [FOI Requests](#)
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 10:29:06 AM
Attachments: [image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Good morning,

My apologies, upon further checking of the document Department of Finance is not included on the list. As such, you are not required to respond to the below consultation.

Please let me know if you require any further information.

Regards,



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
s22

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: FOI Requests <FOIA@finance.gov.au>
Sent: Wednesday, September 18, 2024 2:08 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: FOI Requests <FOIA@finance.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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OFFICIAL

Good afternoon **s22**

Thank you for your email and for providing the Department of Finance an opportunity to comment on the document. As a matter of completeness, we ask that you provide us with a version of the document that does not redact Finance's reported breach/es. Alternatively, we would be grateful if you could provide us with the OAIC references to the associated breach.

Thank you in advance.

Kind regards,

s22

[Redacted signature box]

FOI Officer | Legal and Assurance Branch
Business Enabling Services
Department of Finance
E: FOIA@finance.gov.au
A: One Canberra Avenue, Forrest ACT 2603

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for

internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

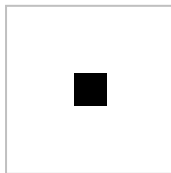
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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Be careful with this message

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From: [FOI Requests](#)
To: [QAIC - FOI](#)
Subject: Freedom of Information Request [SEC=UNCLASSIFIED]
Date: Thursday, 19 September 2024 10:29:19 AM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thank you for your email, which has been forwarded to the Department's FOI Team for their consideration. A member of the FOI Team will respond to your email in the next couple of days.

Kind regards

FOI Coordinator

From: [OAIC - FOI](#)
To: [FOI](#)
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 11:08:23 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

Dear **s22**

Thank you for your email.

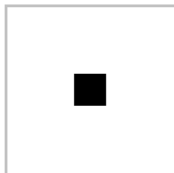
The request relates to the Department of Corporate and Information Services NT.

Grateful if you could please forward our correspondence or provide the correct contact details of the department.

Thank you in advance.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

[E \[foi@oaic.gov.au\]\(mailto:foi@oaic.gov.au\)](mailto:foi@oaic.gov.au)

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From: FOI <FOI@nt.gov.au>

Sent: Wednesday, September 18, 2024 2:18 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello s22

I refer to your email below received earlier today, sent to the NTG Centralised FOI Unit.

I have reviewed the attached document however I am unable to decipher which NT Government department it relates to. Could advise which NTG agency you wish to consult with to so that I can forward to the relevant department.

Thanks and kind regards

s22

s22

Director

Freedom of Information (FOI) -- Information Management Services

Department of **Corporate and Digital Development** | Northern Territory Government

Level 1, 9 Cavenagh Street, Darwin | GPO Box 2391, Darwin, NT 0801

s22

| E: FOI@nt.gov.au

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Our values: **Honest** | **Professional** | **Respectful** | **Accountable** | **Innovative**

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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's*

sector is government (local, state, and federal government).

- The required document is similar to the one released in FOIREQ24/00132.
- Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

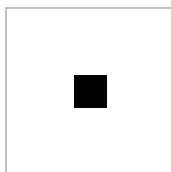
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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switchboard on 1300 488 064 during business hours (8:30am - 5pm Canberra time) and delete all copies of this transmission together with any attachments.

From: [FOI \(NDIS Commission\)](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024
[SEC=OFFICIAL]
Date: Thursday, 19 September 2024 11:14:08 AM

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Thank you for emailing the NDIS Quality and Safeguards Commission.

This inbox is monitored between 9 am and 5 pm (AEST), Monday to Friday and we will respond to your enquiry within 5 business days.

Alternatively you can contact us on 1800 035 544, or visit the website at www.ndiscommission.gov.au for information and resources.

This is an automated email. Please do not respond.

From: [OAIC - FOI](#)
To: s22
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 11:14:18 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

Dear s22

Thank you for your email.

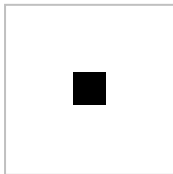
Our initial decision to redact agency identifiers under s 47E(d) was so to not discourage entities from providing full, frank, and timely disclosure of data breach information to the OAIC under the notifiable data breaches scheme.

The OAIC is now reviewing this decision, and as such would appreciate submissions from the Department as to whether the Department would object to the release of these identifiers.

If we can provide any further assistance, please do not hesitate to contact me.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: s22
Sent: Thursday, September 19, 2024 7:52 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: infolaw <infolaw@dss.gov.au>
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Hi **s22**

We are looking at your request now. We would be grateful if you could please provide the reasons given by the Oaic for finding that section 47E(d) applied in relation to the relevant data fields, so that we can give full consideration to your request.

Kind regards,

s22

**Special Counsel - Privacy
Corporate and Commercial
Legal Services Group**

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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and

release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

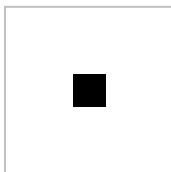
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

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Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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From: [Freedom of Information](#)
To: [OAIC - FOI](#)
Cc: [Freedom of Information](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 11:25:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

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OFFICIAL

Hi **s22**

Thank you for reaching out to DHA to canvas if we had any objection to the release of DHA's name and the OAIC case number contained in the documents identified as [00352-Bundle.pdf \(oaic.gov.au\)](#).

DHA has no objection to the release of the information that you have specified.

Thank you for your consideration.

Kind regards,

s22 | She/Her | Senior Privacy and FOI Officer
Privacy & FOI | Defence Housing Australia
foi@dha.gov.au | dha.gov.au

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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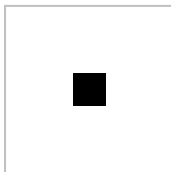
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s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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intmx02.dha.gov.au[21327364]

From: s22
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 11:29:48 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

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Good morning

Thank you for your time.

QUT has no objections with release of this information.

Please let us know if you have any further concerns.

Kind regards

s22

s22 | Senior Privacy Specialist, Compliance, Policy and Records
QUT Governance, Administrative Services
Kelvin Grove Campus | Level 1 X Block | 88 Musk Avenue
Phone: s22

Queensland University of Technology (QUT)
2 George Street Brisbane QLD 4001 | GPO Box 2434 Brisbane QLD 4001 | Australia
w: www.qut.edu.au

TEQSA Provider ID PRV12079 'Australian University'
CRICOS No 00213J

The Queensland University of Technology (QUT) acknowledges the Turrbal and Yugara, as the First Nations owners of the lands where QUT now stands. We pay respect to their Elders, lores, customs and creation spirits. We recognise that these lands have always been places of teaching, research and learning. QUT acknowledges the important role Aboriginal and Torres Strait Islander people play within the QUT community.

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From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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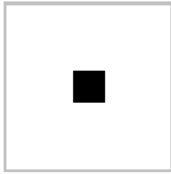
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s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

[E \[foi@oaic.gov.au\]\(mailto:foi@oaic.gov.au\)](mailto:foi@oaic.gov.au)

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From: [Snowy Valleys Council](#)
To: [OAIC - FOI](#)
Subject: 20240919 - FOI Third Party Consultation - FOIREQ24/00423 - Snowy Valleys Council response
Date: Thursday, 19 September 2024 11:38:12 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)
[image008.jpg](#)
[image003.jpg](#)

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Dear **s22**,

Thank you for contacting Snowy Valleys Council.

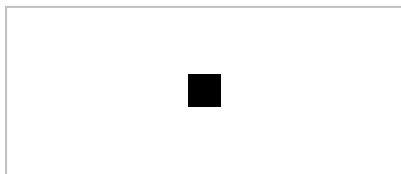
Council has no objection to the release of our agency's name, being Snowy Valleys Council, or the OAIC reference number associated with the report, as long as this will not result in the release of any personal information associated with employees or residents of our Local Government Area.

Should you require anything further, please respond and I will endeavour to assist.

Kind regards,

s22

s22
Governance Officer



76 Capper Street, Tumut, NSW 2720

P: 1300 275 782

W: www.snowyvalleys.nsw.gov.au

Leading, engaging and supporting strong and vibrant communities



Snowy Valleys Council proudly acknowledges the traditional owners and custodians of this land and water and pay respects to their Elders past and present.

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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, 18 September 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

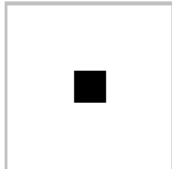
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: s22
To: OAIC - FOI
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 12:59:01 PM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[60_ILSC_1.jpg](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi s22

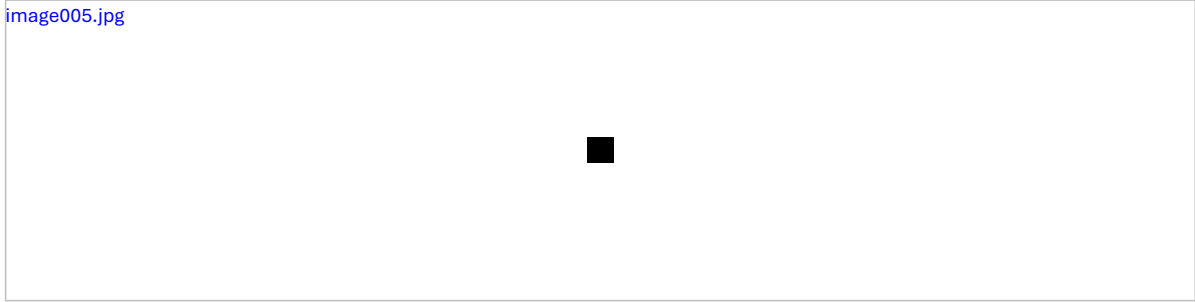
Thanks for responding quickly.

Can I confirm that OAIC is only considering releasing the OAIC reference number in the first column and the name of the ILSC in the third column?

That is, you are not considering releasing, and do not need ILSC's comments on, the more substantial material in the other columns?

Regards,

s22 | Senior Legal Counsel | **Indigenous Land and Sea Corporation**
Tartanya on Kurna Yarta - Adelaide Office | www.ilsc.gov.au
s22 | Freecall: 1800 818 490



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 12:03 PM
To: s22
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

You don't often get email from foi@oaic.gov.au. [Learn why this is important](#)

Dear s22

Thank you for your email.

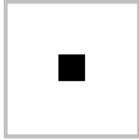
Please see attached the relevant line as it relates to ILSC.

We hope this assists with your consideration. If we can provide further assistance, please do not hesitate to contact

me.

Kind regards,

s22



s22 (he/him)
Paralegal
Office of the Australian Information Commissioner
Melbourne |
E foi@oaic.gov.au

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From: s22
Sent: Thursday, September 19, 2024 10:27 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Good morning s22,

Thank you for your email below.

I have reviewed the document linked, which is heavily redacted.

It is difficult for the ILSC to comment on the release of information that is redacted and cannot be reviewed in context of the rest of the document.

Would you send me a copy of the document with the material for ILSC review unredacted?

If you have any queries please contact me by reply email or on s22 if you would prefer to discuss.

Regards,

s22 | Senior Legal Counsel | **Indigenous Land and Sea Corporation**
Tarrntanya on Kurna Yarta - Adelaide Office | www.ilsc.gov.au
s22 | Freecall: 1800 818 490



[image005.jpg](#)

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:17 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Some people who received this message don't often get email from foi@oaic.gov.au. [Learn why this is important](#)

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

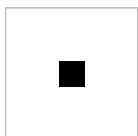
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [FOI](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 1:26:06 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

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OFFICIAL

Dear **s22**

Thank you for providing the extracts of incidents which relate to the AAT. I confirm we have no objection to the OAIC's proposed release of agency names.

Please don't hesitate to contact me should you require anything further.

Kind regards,

s22
Assistant Director FOI and Privacy (acting)

**Administrative Appeals Tribunal
Principal Registry, Melbourne
Legal & Policy**

s22

www.aat.gov.au

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 12:32 PM
To: FOI <FOI@aat.gov.au>
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

EXTERNAL EMAIL

"Do not click any links or open any attachments unless you trust the sender, are expecting this email and know the content is safe."

Dear **s22**

Thank you for your email.

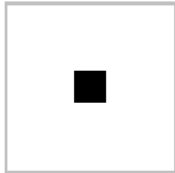
Please see **attached** the extracted lines relevant to the Tribunal. Please note that we are

only proposing to release in addition to the material already released agency name and OAIC reference

If we can provide any further assistance, please do not hesitate to contact me.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: FOI <FOI@aat.gov.au>

Sent: Thursday, September 19, 2024 9:45 AM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Good morning s22

Thank you for the opportunity to comment on the potential disclosure of the names of the agencies contained within the document. To inform our submissions, I would be grateful if you could advise which of the agencies in the document are the AAT?

Kind regards,

s22

Assitant Director FOI and Privacy (acting)

Administrative Appeals Tribunal
Principal Registry, Melbourne
Legal & Policy

s22

www.aat.gov.au

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

EXTERNAL EMAIL

"Do not click any links or open any attachments unless you trust the sender, are expecting this email and know the content is safe."

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

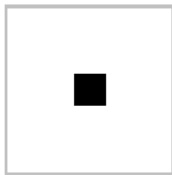
I am not considering releasing any further information that is contained within the

document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From 14 October 2024, the Administrative Appeals Tribunal (AAT) will be replaced by a new body, called the Administrative Review Tribunal. All AAT reviews not finalised by this date will automatically transfer to the new Tribunal. If you are an applicant or another party to a review, you do not need to do anything. For more information visit www.aat.gov.au.

The Tribunal acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and elders past and present.

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From: s22
To: [OAIC - FOI](#)
Cc: [Kris Speering](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 2:00:15 PM
Attachments: [image004.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

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Hi OAIC

DPIRD has no objections to the release of the material with the redactions provided.

Regards

s22

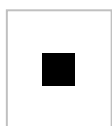
s22

Snr Information & Privacy Officer
Enabling Services
**Department of Primary Industries
and Regional Development**

s22

nsw.gov.au/dpird

105 Prince Street Orange NSW 2800



**Department of Primary Industries
and Regional Development**

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 12:32 PM
To: s22
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Dear s22

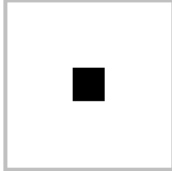
Thank you for your email.

Please see attached the extracted line relating to the Department.

We hope this assists your consideration. If we can provide further assistance, please do not hesitate to contact me.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: s22

Sent: Thursday, September 19, 2024 10:15 AM

To: OAIC - FOI <FOI@oaic.gov.au>

Cc: s22

Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Good morning s22

Under the column "Notified by Client – Client Type" you've identified NSW Government. Could you please indicate which of the rows you believe belong to the Department of Primary Industries and Regional Development?

Thanks

s22

s22

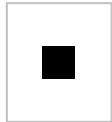
Snr Information & Privacy Officer
Enabling Services

**Department of Primary Industries
and Regional Development**

s22

nsw.gov.au/dpird

105 Prince Street Orange NSW 2800



**Department of Primary Industries
and Regional Development**

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

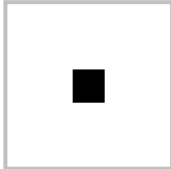
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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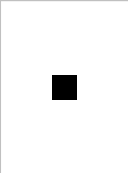
From: [FOI Request](#)
To: [OAIC - FOI](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 1:52:39 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

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Hi **s22**

Council has no objection to the proposed additional information of agency name and OAIC reference no being released.

Regards,

 **s22** (She/Her)
Senior Freedom of Information and Privacy Officer | Governance and Risk
Brimbank Community and Civic Centre - 301 Hampshire Road, Sunshine
s22 | www.brimbank.vic.gov.au

Receiving this email outside of your normal working hours? Managing work and life responsibilities is unique for everyone. There is no expectation to monitor, read, respond or follow up on this email outside your normal hours of work.



Brimbank City Council respectfully acknowledges and recognises the Wurundjeri and Bunurong peoples as the Traditional Custodians of this land and pays respect to their Elders past, present and future.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 11:07 AM
To: FOI Request <FOIRequest@brimbank.vic.gov.au>
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Dear **s22**

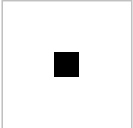
Thank you for your email.

I have extracted the relevant line, and it is **attached** for your consideration. Please note that we are only proposing to release in addition to the material already released agency name and OAIC reference no.

If you require any additional information, please do not hesitate to contact me.

Kind regards,

s22

 **s22** (he/him)
Paralegal
Office of the Australian Information Commissioner
Melbourne |
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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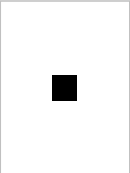

From: FOI Request <FOIRequest@brimbank.vic.gov.au>
Sent: Wednesday, September 18, 2024 2:09 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Hi s22

Can you please advise which line in the spreadsheet relates to Brimbank City Council?

Regards,

 s22 (She/Her)
Senior Freedom of Information and Privacy Officer | Governance and Risk
Brimbank Community and Civic Centre - 301 Hampshire Road, Sunshine
 | www.brimbank.vic.gov.au

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Brimbank City Council respectfully acknowledges and recognises the Wurundjeri and Bunurong peoples as the Traditional Custodians of this land and pays respect to their Elders past, present and future.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

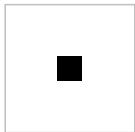
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



S22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [FOI](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 2:48:13 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

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Dear **s22**

In reference to your email below, we have no objection to the proposed additional release as outlined (RBA name and OAIC reference number).


We presume the breach in question is the **s 22**

We understand that after the fresh release (assuming it proceeds) people will be able to search online and make a connection using the breach date in the list and our name. We are relaxed about that and it does not change our position.

Yours sincerely

s22 | FOI Officer
RESERVE BANK OF AUSTRALIA | 8 Chifley Square, Sydney NSW 2000
s22 | e: foi@rba.gov.au | w: www.rba.gov.au

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

 **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Our reference: **FOIREQ24/00423**

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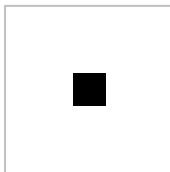
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [Foi](#)
To: [OAIC - FOI](#)
Cc: [Foi](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Thursday, 19 September 2024 4:05:45 PM

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Dear **s22**,

I hope this email finds you well.

I am writing in response to the email received on the 18th September 2024 pertaining to the document proposed for release under the Freedom of Information (FOI) request referenced FOIREQ24/00423.

After careful consideration, we would like to inform you that Melbourne Polytechnic has no objections to the additional disclosure of information. We appreciate the opportunity to review the document proposed for release.

Yours sincerely,

s22

Senior FOI & Privacy Advisor
Preston VIC 3072

s22

Working days: Tuesday - Wednesday - Thursday



This email was sent to you by Melbourne Polytechnic. Through our interactions with you, circumstances may arise where we collect and hold data about you. Please read our [privacy statement](#) or access our full [privacy policy](#) to learn how we handle personal data and what your rights are. Please advise us of any change in your data by contacting the relevant department as indicated in our [privacy statement](#).

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From: [FOI](#)
To: [OAIC - FOI](#)
Cc: [FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 8:35:35 AM
Attachments: [image003.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image001.jpg](#)

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Good morning **s22**,

Thank you for your email. After reviewing [00352-Bundle.pdf \(oaic.gov.au\)](#), we can only assume that CSC is mentioned, but we cannot see where or how many times we are referenced. However, we do not object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

Best regards,

s22

Parliamentary and Information Release Coordinator
General Counsel Team



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

 **External Email : Please be cautious of links and attachments**

Our reference: **FOIREQ24/00423**

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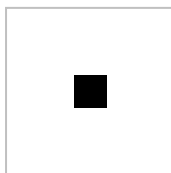
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ADF Super : RSE R1077063
CSS: RSE R1004649
MSBS: RSE R1000306
PSS: RSE R1004595
PSSap: RSE R1004601

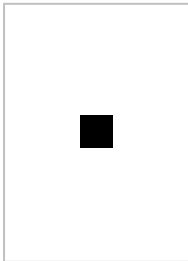
From: [Council Internet Mail](#)
To: [OAIC - FOI](#)
Subject: OAIC Office of the Australian Information Commissioner - Response to FOIREQ24/00423 - Consultation - required lunchtime Monday 23 September 2024 - 20/09/24
Date: Friday, 20 September 2024 10:45:30 AM
Attachments: [image001.jpg](#)
[OAIC Office of the Australian Information Commissioner - Response to FOIREQ24 00423 - Consultation - required lunchtime Monday 23 ~ 20 09 24\(3\).PDF](#)

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Good morning

Please find attached correspondence.

Kind regards



Upper Hunter Shire Council

Phone: 02 6540 1100

Email: council@upperhunter.nsw.gov.au

UPPERHUNTER.NSW.GOV.AU

A Quality Rural Lifestyle - in a vibrant, caring and sustainable community

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Contact Name: Records Department
Contact No: 02 6540 1100
Our Reference: OUT-

20 September 2024

s22

Office of the Australian Information Commissioner
GPO Box 5288
SYDNEY NSW 2001

By Email: foi@oaic.gov.au

Dear Madam

FOIREQ24/00423 – Consultation

Reference is made to your email of 18 September 2024 whereby you consulted with Council as a third party to the disclosure of “*the name of the agency, and the OAIC reference number associated with the reported breach*”.

I have considered your request and the information to be released and do not object to the release of the information.

Yours sincerely

s22

s22

GOVERNANCE & RISK ADVISOR

All correspondence to:

General Manager | Upper Hunter Shire Council | PO Box 208, Scone NSW 2337

Phone: 6540 1100

Email: council@upperhunter.nsw.gov.au



From: [GIPA, icare](#)
To: [OAIC - FOI](#)
Cc: [GIPA, icare](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 12:00:39 PM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.jpg](#)
[image013.jpg](#)
[image001.jpg](#)

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OFFICIAL

Good afternoon **s22**

I refer to your email dated 18 September 2024, and thank you for the opportunity to be consulted re: **FOIREQ24/00423**. I have reviewed '00352-Bundle'.

It is our view that the information you are proposing to release, that is related to Insurance and Care NSW (icare), is in the public interest. Therefore, icare does not object to the release of the OAIC reference number associated with the reported breach, and the name of the agency (icare) where it appears.

If you require any clarification or further information please do not hesitate to contact me.

Kind Regards



s22
Information Access Regulatory
Compliance Manager
Strategic Delivery & Operations
Risk and Governance

s22
 321 Kent Street, Sydney
2000
 icare.nsw.gov.au



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OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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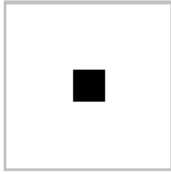
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s 47C and 47E(d)

s 47C and 47E(d)

s 22

§ 22

S 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, 18 September 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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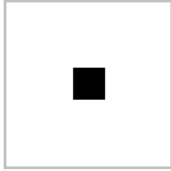
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From: [USI - Policy Data Compliance](#)
To: [OAIC - FOI](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 12:38:39 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.png](#)
[image003.jpg](#)

Hi 

We do not object to the additional disclosure in the matter as outlined in your email of 18 September 2024.

Kind regards




Senior Advisor - Policy & Legislation
Policy, Data & Compliance Team

Office of the Student Identifiers Registrar

Phone: 1300 857 536

signature_2025035158



The Student Identifiers Registrar is an 'APP entity' bound by the Australian Privacy Principles in the Privacy Act 1988 (Cth). Our privacy policy is available at www.usi.gov.au and it tells you how we collect, use, store and disclose your personal information and the way in which you can access and correct your personal information. If you are not the intended recipient, please notify us on 1300 857 536 during business hours and delete all copies of this transmission together with any attachments, as any use disclosure or copying of this email is unauthorised.

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024

Our reference: **FOIREQ24/00423**

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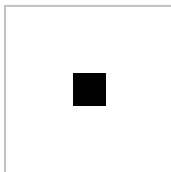
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From: [CMTEDD FOI](#)
To: [OAIC - FOI](#)
Cc: [CMTEDD FOI](#); [CMTEDD Privacy](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 1:14:30 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

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OFFICIAL

Hi **s22**

Can you please clarify what reports the ACT Government provided to the OAIC during this time? Or does the spreadsheet refer to reports CMTEDD received? Or something else?

According to the spreadsheet provided, there are two reports for ACT Government (refer pages 2 and 4).

s 22
[Redacted]

[Redacted]

In principle, I have no objection to the release of the information, however I would need to know what information the data alludes to.

s22

s22 (she/her) | Senior Director, Information Management

s22
Governance, Reporting, Information and Facilities
Chief Minister, Treasury and Economic Development Directorate

ACT Government
220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

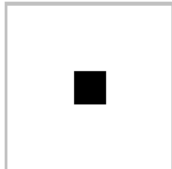
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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From: [FOI NIAA](#)
To: [OAIC - FOI](#)
Cc: [FOI NIAA](#)
Subject: NIAA response to courtesy consultation: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 2:22:51 PM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[00352-Bundle.pdf](#)

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OFFICIAL

Your ref: FOIREQ24/00423
NIAA ref: CON/2425/008

Dear OAIC FOI Team,

Thank you for providing the NIAA with the opportunity to review and consider the document (attached).

Having consulted with the relevant business area, the NIAA does not object to the additional disclosure of:

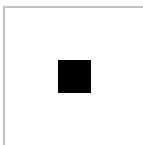
- The name of the agency
- The OAIC reference number associated with the reported breach

Please contact FOI@niaa.gov.au if you have any additional queries regarding this matter.

Kind regards,

FOI Team

Legal Services Branch | Integrity Group | National Indigenous Australians Agency | FOI@niaa.gov.au
Charles Perkins House, 16 Bowes Place, Phillip ACT 2606 | PO Box 2191 ACT 2601
w. niaa.gov.au w. indigenous.gov.au



The National Indigenous Australians Agency acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the elders past, present and emerging.



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OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

OFFICIAL

Our reference: **FOIREQ24/00423**

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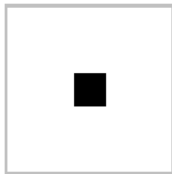
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- The OAIC reference number associated with the reported breach

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Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [RTI-Privacy](#)
To: [OAIC - FOI](#)
Subject: RE: CM: 6811/24 - FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 2:32:32 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image005.jpg](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.jpg](#)

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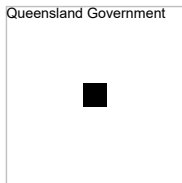
Good afternoon **s22**

Thank you for your consultation with Qld Department of Health.
I can confirm that we have no objection to release of:

- The name of the agency
- The OAIC reference number associated with the reported breach

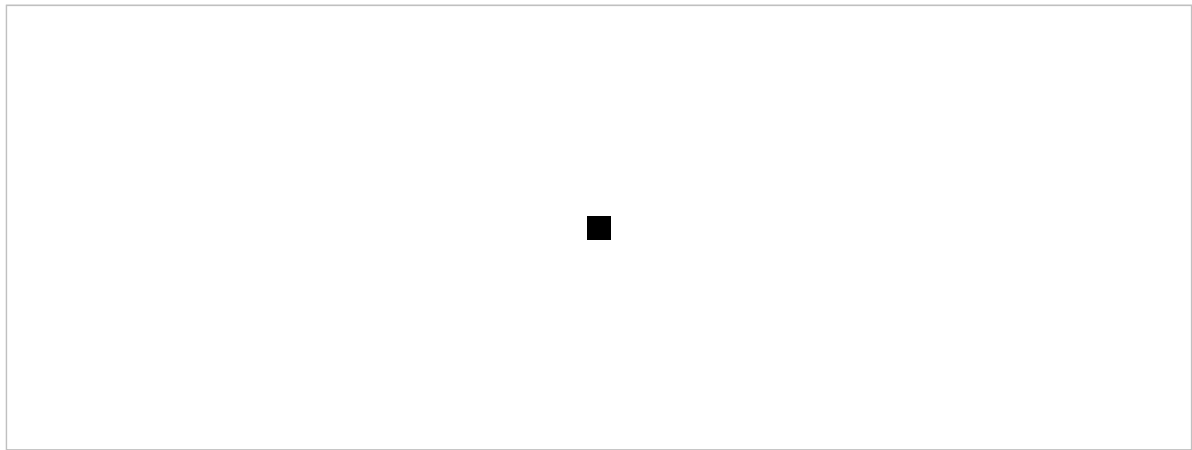
Kind regards,

s22



s22
Principal Right to Information Officer
Governance, Assurance and Information Management
Branch Corporate Services
Division | Queensland Health

P **s22**
E rti-privacy@health.qld.gov.au
W health.qld.gov.au
A Level 6, 33 Charlotte St, Brisbane 4000



Queensland Health acknowledges the Traditional Custodians of the land across Queensland, and pays respect to First Nations Elders past, present and future.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>

Subject: CM: 6811/24 - FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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From: [FOI](#)
To: [OAIC - FOI](#)
Cc: [FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL] [AFP-L.FID191512]
Date: Friday, 20 September 2024 2:51:29 PM
Attachments: [image005.jpg](#)
[image006.jpg](#)
[image001.gif](#)
[image002.jpg](#)

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OFFICIAL

Dear OAIC,

I refer to your email below and thank you for providing the AFP the opportunity to comment on the documents available on your disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#).

Please be advised, the AFP considers there is no justification under the FOI Act to rely on to exempt the agency's name. OAIC's reference is your internal matter management reference number and it is not appropriate for the AFP to comment on its release.

Should you have any queries, please do not hesitate to contact us.

Kind regards

s22

s22 (AFP 23141)

FOI OFFICER
CHIEF COUNSEL

s22

[Australian Federal Police](#)

The Australian Federal Police acknowledges the Traditional Owners and Custodians of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to First Nations people, culture and Elders past, present and emerging.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
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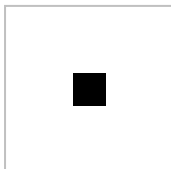
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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AFP Web site: <http://www.afp.gov.au>

s 47C and 47E(d)

s 22

§ 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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- The name of the agency
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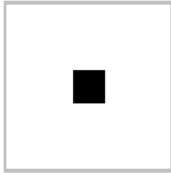
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Sydney | GPO Box 5288 Sydney NSW 2001
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S 47E (d)

From: s22
To: OAIC - FOI
Cc: s22
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 4:41:39 PM
Attachments: [image004.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image002.jpg](#)

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Dear s22

Thank you for your email and consulting with FRV on this matter.

I have considered what you have proposed and the document provided and confirm that FRV does not object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

Please let me know if you require any further information.

Kind regards

s22
Acting General Counsel

Fire Rescue Victoria
Corporate, Regulations and Strategic Services

456 Albert Street, East Melbourne VIC 3002

s22
frv.vic.gov.au

We acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land, and pay our respects to their cultures and their Elders past, present and emerging.

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or copying of this material is not authorised and prohibited. If you are not the intended recipient, please notify the sender immediately and destroy all copies of this email and any attachment(s). Fire Rescue Victoria handles information according to Privacy and Data Protection Act 2014 (Vic). Our privacy policy can be reviewed at our website.

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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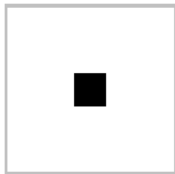
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To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 4:53:51 PM
Attachments: [image003.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image002.jpg](#)
[disclaimer.txt](#)

OFFICIAL

Dear **s22**

Thank you for your email.

IP Australia does not have any objections to the disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

Regards

s22

s22

FOI Officer
Office of Legal Counsel
IP Australia



s22 | E FOIrequests@ipaaustralia.gov.au

Visit us at <http://www.ipaustralia.gov.au>

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
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 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

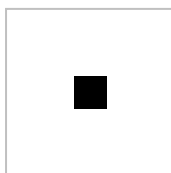
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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s 47C and 47E(d)

s 47C and 47E(d)

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Thursday, September 19, 2024 3:30:54 PM

To: s 47E(d)

Cc: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL:Sensitive]

Our reference: **FOIREQ24/00423**

Dear s 47E(d) r

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:



1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI

Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

To assist with your consideration, please see **attached** an extract of lines relevant to 


I am not considering releasing any further information that is contained within the document, apart from that listed above.

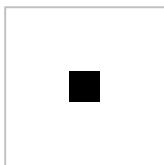
Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024**, we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: [FOI FOI](#)
To: [OAIK - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 5:17:09 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image008.jpg](#)

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OFFICIAL

Dear **s22**

Thank you for the below information.

We are currently consulting with line areas.

Our preliminary view is that some of the below information may not be responsive to the applicant's request and should therefore be excluded (under s22). This view has not been cleared by the senior executive and is subject to change pending views from other areas of our agency.

We expect to be able to provide a finalised response by COB Monday. This is due to the matter needing to be consulted across a range of areas within the department that have responsibility for managing the department's response to privacy breaches. As such, we would be grateful for an extension of time to respond until **COB Monday 23 September**.

We note that OAIK intends to proceed to a decision on Tuesday 25 September. Noting that Tuesday will be the 24th, can you please clarify this typographic error; does OAIK intend to make a decision **Tuesday 24 September**, or on **Wednesday 25 September**?

I would be happy to discuss this matter if it would assist.

Best

s22

s22

FOI Officer | Freedom of Information Section (FOI)
Public Interest Law Branch (PIL) | Regulatory and Legal Policy Division (RLD)

s22

dfat.gov.au | [X](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf](https://www.oaic.gov.au/00352-Bundle.pdf) (oaic.gov.au). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s.22
 Senior Lawyer
 Office of the Australian Information Commissioner
 Sydney | GPO Box 5288 Sydney NSW 2001
 E foi@oaic.gov.au

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From: OAIC - FOI
To: rti@decq.tas.gov.au
Cc: OAIC - FOI
Subject: FOIREQ24/00423 - Consultation - Response required by COB Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 5:25:01 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image005.jpg](#)
Importance: High

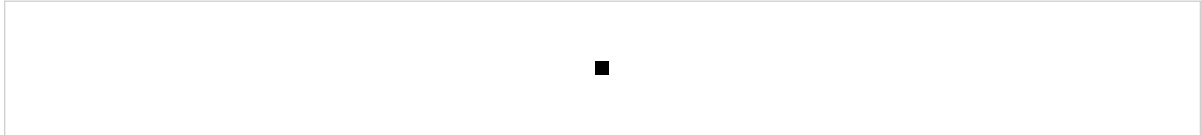
Our reference: FOIREQ24/00423

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

- Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
- The required document is similar to the one released in FOIREQ24/00132.
 - Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s 17 of the FOI Act and release the document in part, redacting respondent (government names) under s 47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). An unredacted version of the line relating to the Tasmanian Department of Communities - Children, Youth and Families (which I understand has had its functions transferred to the Department for Education, Children and Young People) is as follows:



The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s 47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1 pm Tuesday 24 September 2024**. Please accept my apologies for the short turnaround time. A decision on this matter is due on Wednesday 25 September and unfortunately the OAIC initially sent this request to an incorrect contact for the Department and have only just been informed of the error. The email sent was a bulk email to all agencies listed in the document and did not contain the unredacted line above regarding the Department of Communities - Children, Youth and Families. As the decision is due in relation to this matter on **Wednesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter. Please do not hesitate to contact me if you would like to discuss or require any further information.

Kind regards

S22



S22
A/B SENIOR Lawyer
Office of the Australian Information Commissioner
Melbourne
P +61 2 9942 4296 E foi@oaic.gov.au

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From: OAIC - FOI
To: FOI FOI
Cc: OAIC - FOI
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Friday, 20 September 2024 5:40:54 PM
Attachments: image001.png
image004.png
image007.png
image009.png
image010.png
image011.png
image012.png

Hi s22

Thanks for your email.

Because the FOI applicant has specifically requested the document created be similar to one previously created in another OAIC FOI request, we have considered all columns in that previous document to fall within scope of this request.

I confirm that an extension of time until COB Monday will be acceptable and apologise for the error in the initial email. A decision on this matter is due on **Wednesday 25 September**.

Kind regards

s22

 s22
AVG Senior Lawyer
Office of the Australian Information Commissioner
E.foi@oaic.gov.au

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From: FOI FOI <foi@dfat.gov.au>
Sent: Friday, September 20, 2024 5:17 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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OFFICIAL

Dear s22

Thank you for the below information.

We are currently consulting with line areas.

Our preliminary view is that some of the below information may not be responsive to the applicant's request and should therefore be excluded (under s22). This view has not been cleared by the senior executive and is subject to change pending views from other areas of our agency.

We expect to be able to provide a finalised response by COB Monday. This is due to the matter needing to be consulted across a range of areas within the department that have responsibility for managing the department's response to privacy breaches. As such, we would be grateful for an extension of time to respond until **COB Monday 23 September**.

We note that OAIC intends to proceed to a decision on Tuesday 25 September. Noting that Tuesday will be the 24th, can you please clarify this typographic error; does OAIC intend to make a decision **Tuesday 24 September**, or on **Wednesday 25 September**?

I would be happy to discuss this matter if it would assist.

Best

s22

s22

FOI Officer | Freedom of Information Section (FOI)
Public Interest Law Branch (PIL) | Regulatory and Legal Policy Division (RLD)

s22
foi@dfat.gov.au | [X](#) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)



s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



SZZ
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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s 47C and 47E(d)

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

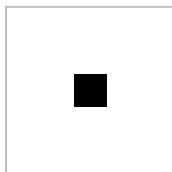
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

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Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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s 47E (d)

s 47E(d)

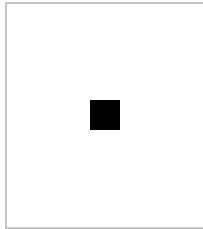
From: s22
To: [OAIC - FOI](#)
Subject: FW: OAIC - Forman Request for Information - FOIREQ24/00423 - Consultation
Date: Monday, 23 September 2024 9:39:23 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[image013.jpg](#)
[image001.jpg](#)

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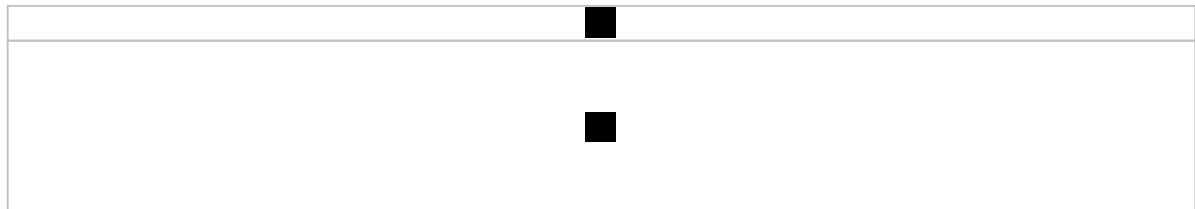
Dear s22

Thank you for your email below. I advise that Council does not have any objection to the release of Council's name and the OAIC reference number.

Regards,



s22 | Governance Manager
Dharawal Country
76 Cygnet Avenue, Shellharbour City Centre, NSW 2529
s22
www.shellharbour.nsw.gov.au



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, 18 September 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: OAIC - Forman Request for Information - FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

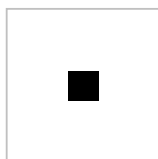
- The name of the agency
- The OAIC reference number associated with the reported breach

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Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: FOI
To: OAIC - FOI
Cc: FOI
Subject: FOIREQ24/00423 - Consultation - Response required lunctime Monday 23 September 2024 [SEC-OFFICIAL]
Date: Monday, 23 September 2024 10:07:56 AM
Attachments: [FOI@csiro.au](#)
[FOI@csiro.au](#)
[FOI@csiro.au](#)
[FOI@csiro.au](#)

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H **s22**

Thank you for consulting CSIRO.

CSIRO's FOI Team can confirm that we have no concerns with the proposed release, which would effectively identify CSIRO (and OAIC matter number) in association with one row entry in the document (without disclosing the substantive detail of the relevant breach).

s 22

CSIRO also notes that the OAIC is considering the submissions of each consulted entity on their merits. We accept that this is the correct approach. CSIRO simply submits that, should it transpire that only CSIRO, or a small number of entities, are to be disclosed in the document, all entities should instead remain redacted on the basis that bringing attention to only one entity, or a few select entities, would likely cause a distorted level of attention to those entities and unreasonably affect their operations. Of course, on the understanding that the majority of entities which have responded have not objected, we think it unlikely that this will be an issue.

If you would like any further information regarding CSIRO's submissions above, please do not hesitate to contact us.

Kind regards,

s22
FOI Administrative Officer
Enterprise Legal | CSIRO
Level 5 Building, Gate 5, Normandy Road, Clayton VIC 3168
Postal Address: CSIRO, Private Bag 10, Clayton South VIC 3169

CSIRO acknowledges the Traditional Owners of the land, sea and waters, of the area that we live and work on across Australia. We acknowledge their continuing connection to their culture and we pay our respects to their Elders past and present.

s 22



From: FOI <foi@csiro.au>
Sent: Thursday, 19 September 2024 8:13 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: FOI <foi@csiro.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunctime Monday 23 September 2024 [SEC-OFFICIAL]

Dear **s22**

Thank you for consulting CSIRO.

CSIRO will review the document and provide any comments as soon as possible, noting your deadline of **1pm, Monday 23 September 2024**.

Kind regards,


FOI Administrative Officer
Enterprise Legal | CSIRO

Fretwell Building, Gate 5, Normanby Road, Clayton VIC 3168
Postal Address: CSIRO, Private Bag 10, Clayton South VIC 3169

CSIRO acknowledges the Traditional Owners of the land, sea and waters, of the area that we live and work on across Australia. We acknowledge their continuing connection to their culture and we pay our respects to their Elders past and present.

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, 18 September 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - The required document is similar to the one released in FOIREQ24/00132.
 - Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach


I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.




Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [foi](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:20:19 AM
Attachments: [image003.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

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OFFICIAL

Dear [REDACTED]

Thank you for consulting with the ACNC about the freedom of information decision currently being reviewed the OAIC.

We are currently working on our response to this consultation opportunity. Your original email advises a final decision must be made by the OAIC on **Tuesday 25 September**.

As the 25th is a Wednesday we appreciate if you could confirm whether the correct decision due date is:

- a. Tuesday 24 September or
- b. Wednesday 25 September.

Please contact me on the details below should you have any questions.

Kind Regards,

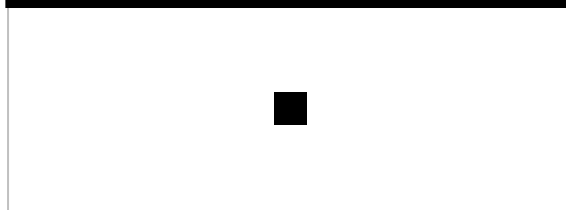
s22 [REDACTED]

Pronouns: she / her

Lawyer | Australian Charities and Not-for-profits Commission

s22 [REDACTED]

| W www.acnc.gov.au



The ACNC acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respects to them and their cultures and elders past and present.

OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

**** EXTERNAL EMAIL – Think quick before you click****

Our reference: **FOIREQ24/00423**

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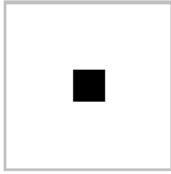
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Thank you in advance for your assistance with this matter.

s22
Senior Lawyer



Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [FOI](#)
To: [OAIC - FOI](#)
Cc: [FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:25:57 AM
Attachments: [image003.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

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Hi **s22**

We are formulating our response to be provided to you today and note that you have requested the response by midday today.

Before we respond, could you please confirm what providing the OAIC reference number allows a member of the public to do with that reference number? Can they access any further information using that number? We are unsure what that means for the University if the number is provided to the applicant.

Kind regards

s22

s22

Senior Trusts & FOI Officer
[Legal Services](#) Branch | Division of University Operations

[THE UNIVERSITY OF ADELAIDE](#)

Adelaide SA 5005

s22

www.adelaide.edu.au/legalandrisk

Australian University Provider Number PRV12105

CRICOS Provider Number 00123M

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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

CAUTION: External email. Only click on links or open attachments from trusted senders.

Our reference: **FOIREQ24/00423**

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- The name of the agency
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Thank you in advance for your assistance with this matter.

s22

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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001



[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

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From: s22
To: OAIC - FOI
Cc: s22
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:26:21 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.jpg](#)

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Dear s22,

Thank you for your email.

We note that our position will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker. However, ILSC do not have an issue with disclosure of our name and OAIC reference number but given there are other agencies involved, to the extent that the majority have an issue then we would follow that position.

Kind regards,

s22

s22 | General Counsel | **Indigenous Land and Sea Corporation**
Tarrntanya on Kaurna Yarta - Adelaide Office | www.ilsc.gov.au
s22 | Freecall: 1800 818 490



[image005.jpg](#)

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:17 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Some people who received this message don't often get email from foi@oaic.gov.au. [Learn why this is important](#)

Our reference: **FOIREQ24/00423**

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

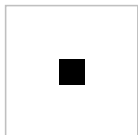
- The name of the agency
- The OAIC reference number associated with the reported breach

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Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [Freedom of Information](#)
To: [OAIC - FOI](#)
Cc: [Freedom of Information](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:31:46 AM
Attachments: [image003.png](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image002.jpg](#)
[62. DISR 1 .jpg](#)

OFFICIAL

Dear **s22**

Thank you for providing the department with an opportunity to comment on the (potential) release of information pertaining to data breach **s 22** (your reference).

In summary, you have advised that the following information may be released in a decision due on Tuesday 24 September 2024.

1. The data breach reference number (your reference), and
2. The departmental name.

We understand that the abovementioned information is in addition to the information already released and available on your disclosure log: [00352-Bundle.pdf \(oaic.gov.au\)](#).

The relevant departmental staff have considered the request and concluded that we do not object to the release of the information.

You have also advised that the following information is not being considered for release.

1. The date recorded in column 5.
2. The summary of the incident recorded in column 6.
3. The summary of the outcome of OAIC's investigation in column 7.

Subsequently, our comments are limited to the information that **has been marked for release**. If your position changes, we would be grateful for an opportunity to provide further submissions prior to any additional information being released.

Regards

s22
Senior FOI Officer

Freedom of Information Team

Chief Counsel & Integrity Division | Legal Branch | Information Law
Ngunnawal Country, Industry House, GPO Box 2013 Canberra ACT 2601
Department of Industry, Science and Resources


industry.gov.au ABN 74 599 608 295

Supporting economic growth and job creation for all Australians | We are collaborative, innovative, respectful and strive for excellence



Acknowledgement of Country

Our department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

Connection to Country, 2021  by Shaenice Allan



OFFICIAL

s 22

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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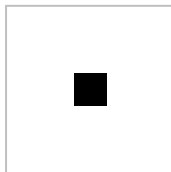
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From: [Information Access](#)
To: [OAIC - FOI](#); [Information Access](#)
Subject: RE: [External] FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:48:44 AM
Attachments: [image003.png](#)
[image005.jpg](#)
[image006.jpg](#)
[image001.jpg](#)

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OFFICIAL

Thank you for providing the extract.

I confirm the Office does not object to the release of reference to the Office or OAIC's reference number. We support the balance of the redacted material remaining redacted.

Many thanks

Kind regards

s22

[Director Legal](#)

[Defence, Investigations, ACT & Legal Branch](#)

Please note I work Wednesday, Thursday and Friday. The legal team co-Director, s22, works Monday, Tuesday and Thursday.

s22

[ombudsman.gov.au](https://www.ombudsman.gov.au)

Level 5, 14 Childers St Canberra ACT 2600

Proud to be working on the lands of the Gadigal people of the Eora Nation. The Office of the Commonwealth Ombudsman acknowledges the Traditional Owners of country throughout Australia and their continuing connection to land, culture and community. We pay our respects to Elders past and present.

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: [External] FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

OFFICIAL

Our reference: **FOIREQ24/00423**

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Office of the Australian Information Commissioner



Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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- * about an identifiable individual;
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From: RTI
To: OAIC - FOI
Cc: RTI
Subject: RE: FOIREQ24/00423 - Consultation - Response required by COB Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:56:22 AM
Attachments: image003.png, image005.png, image006.jpg, image007.png, image004.jpg

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Good morning,

We have received your email below.

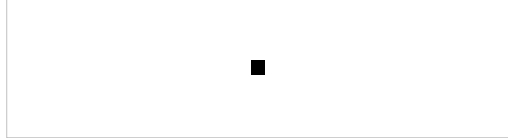
Unfortunately, due to staff absences we will be unable to review and provide a response by tomorrow. I note that you state an extension is not able to occur however is there any chance the applicant or your office would be agreeable?

Our office would possibly be able to provide a considered response by early next week.

I look forward to hearing from you.

Kind Regards,

s22
Information and Right to Information Support Officer
Legal Services
Department for Education, Children and Young People
Level 2, 21 Kirksway Place, Hobart | GPO Box 169, Hobart, TAS 7001
http://decyp.tas.gov.au
www.decyp.tas.gov.au



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Friday, September 20, 2024 5:25 PM
To: RTI <rti@decyp.tas.gov.au>
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required by COB Monday 23 September 2024 [SEC=OFFICIAL]
Importance: High

You don't often get email from foio@oaic.gov.au. Learn why this is important

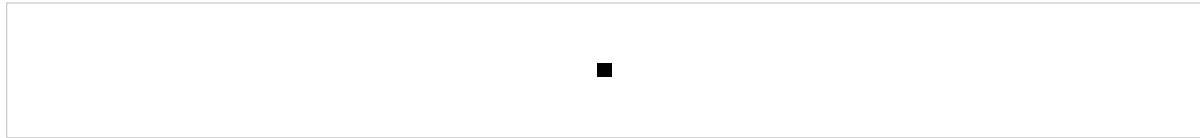
Our reference: FOIREQ24/00423

Dear FOI contact officer

The OAIC has received a request under the Freedom of Information Act 1982 (the FOI Act) for access to:

- Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).
The required document is similar to the one released in FOIREQ24/00132.
Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s 17 of the FOI Act and release the document in part, redacting respondent (government names) under s 47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log 00352-Bundle.pdf (oaic.gov.au). An unredacted version of the line relating to the Tasmanian Department of Communities - Children, Youth and Families (which I understand has had its functions transferred to the Department for Education, Children and Young People) is as follows:



The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s 47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by 1 pm Tuesday 24 September 2024. Please accept my apologies for the short turnaround time. A decision on this matter is due on Wednesday 25 September and unfortunately the OAIC initially sent this request to an incorrect contact for the Department and have only just been informed of the error. The email sent was a bulk email to all agencies listed in the document and did not contain the unredacted line above regarding the Department of Communities - Children, Youth and Families. As the decision is due in relation to this matter on Wednesday 25 September 2024 we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter. Please do not hesitate to contact me if you would like to discuss or require any further information.

Kind regards

s22



s22
A/B Senior Lawyer
Office of the Australian Information Commissioner
Melbourne
P +61 2 9942 4296 E foio@oaic.gov.au

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 Please consider the environment. Do you really need to print this email?

From: [OAIC - FOI](#)
To: [foi](#)
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:56:24 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image005.jpg](#)
[image006.jpg](#)

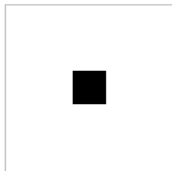
Hi **s22**

Thank you for your email. I apologise for the error – a final decision is due this **Wednesday** 25 September.

Please let me know if you require any further information.

Kind regards

s22



s22
A/g Senior Lawyer
Office of the Australian Information Commissioner
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: foi <foi@acnc.gov.au>
Sent: Monday, September 23, 2024 10:20 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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OFFICIAL

Dear **s22**

Thank you for consulting with the ACNC about the freedom of information decision currently being reviewed the OAIC.

We are currently working on our response to this consultation opportunity. Your original email advises a final decision must be made by the OAIC on **Tuesday 25 September**.

As the 25th is a Wednesday we appreciate if you could confirm whether the correct decision due date is:

- a. Tuesday 24 September or
- b. Wednesday 25 September.

Please contact me on the details below should you have any questions.

Kind Regards,

s22

Pronouns: she / her

Lawyer | Australian Charities and Not-for-profits Commission

s22

| W www.acnc.gov.au

The ACNC acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respects to them and their cultures and elders past and present.

OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

**** EXTERNAL EMAIL – Think quick before you click****

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of

this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

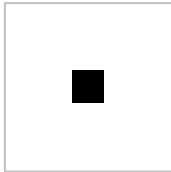
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
 Senior Lawyer
 Office of the Australian Information Commissioner
 Sydney | GPO Box 5288 Sydney NSW 2001
 E foi@oaic.gov.au

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From: [INFORMATION.ACCESS](#)
To: [OAIC - FOI](#)
Subject: FOIREQ24/00423 - Courtesy consultation with Department of Veterans' Affairs (LEX 70383) - Response [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:57:51 AM
Attachments: [image009.jpg](#)
[image010.jpg](#)
[image012.jpg](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.jpg](#)
[image002.jpg](#)

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Dear **s22**

Thank you for providing the Department of Veterans' Affairs (Department) with an opportunity to provide comments on this courtesy consult.

Response:

The Department has no objections to the release of the name of the agency, in column A, and the OAIC reference number associated with the reported breach, in column C.

We object to the disclosure of any information not included in these columns which has already been redacted.

We again thank you for the opportunity to provide submissions. Please let us know if you require any further information or clarification in relation to the comments above.

Kind regards,

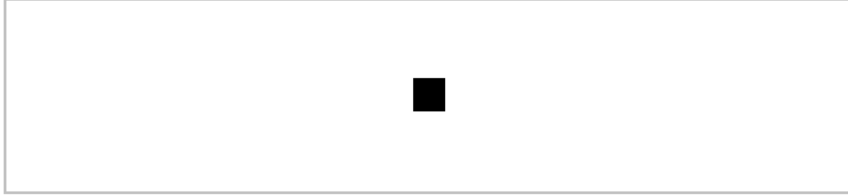
s22 | A/g Assistant Director
Position Number: 62258141
Information Access Unit
Client and Information Access Branch
Ministerial, Communication & Engagement Division
Department of Veterans' Affairs



P: 1800 VETERAN (1800 838 372)

E: Information.Access@dva.gov.au

W: www.dva.gov.au



s 22

s 22



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:17 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

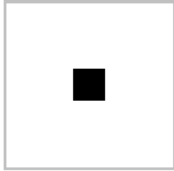
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: s22
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 10:57:53 AM
Attachments: [image004.jpg](#)
[image006.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image005.jpg](#)

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OFFICIAL

Good Morning s22 and s22

I refer to your email below regarding consultation on matter FOIREQ24/00423.

AFMA does not object to the release of the name of the agency (i.e. AFMA) and the OAIC reference number associated with the reported breach:

- On the condition that, if the delegate determines that this information should be released, all government names (and their corresponding OAC reference numbers) are released. In other words, AFMA's name and the OAIC reference number should not be released if other government names and OAIC reference numbers remain redacted; and
- Nothing the OAIC is not releasing any further information that is contained within the document aside from agency name and the OAIC reference number associated with the reported breach.

If you have any questions, please let me know.

Regards

s22
Acting General Counsel
Legal Services, Corporate Governance Branch
Australian Fisheries Management Authority

s22

www.afma.gov.au

Note: I am in the office Monday to Wednesday and I work most Thursdays and Fridays from home.



OFFICIAL

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, 18 September 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

s22

Senior Lawyer

Office of the Australian Information Commissioner



Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [FOI Inbox](#)
To: [DAN, FOI](#)
Cc: [FOI Inbox](#)
Subject: RE: FOIREQ24/00523 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC-OFFICIAL]
Date: Monday, 23 September 2024 11:00:46 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)

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Hi **S22**

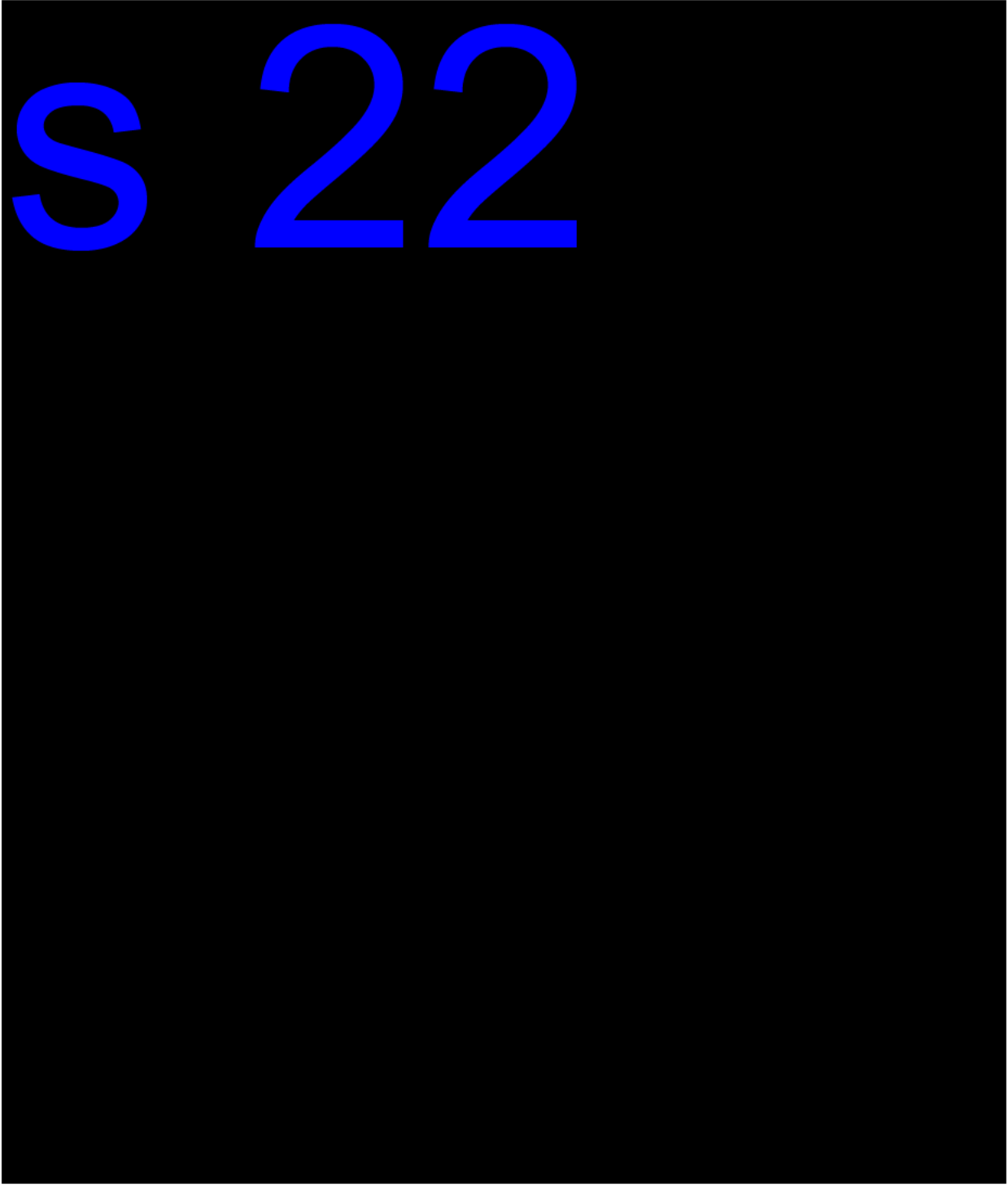
AFSA consents to the proposed additional disclosure in connection with the information already disclosed as below.

Kind regards,

S22

Assistant Director of Information and Enquiries | AFSA Legal | Strategy and Government
Australian Financial Security Authority
S22 | W www.afsa.gov.au

I am utilising flexible working hours because it suits me to do so. Please know, I do not expect you to respond out of hours. I respect your time.



s 22

From: OAIC - FOI <foi@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <foi@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

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 - The required document is similar to the one released in FOIREQ24/00132.
 - Respondent names are to be included in the scope of this request.

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



S22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
foi@oaic.gov.au

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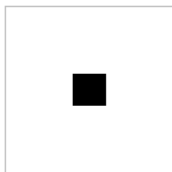
From: [OAIC - FOI](#)
To: [FOI](#)
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 11:08:13 AM
Attachments: [image001.jpg](#)
[image003.jpg](#)
[image005.jpg](#)
[image006.jpg](#)

Hi **s22**

Thank you for your email. I confirm a response by COB today will be fine.

Kind regards

s22



s22
A/g Senior Lawyer
Office of the Australian Information Commissioner
E foi@oaic.gov.au

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From: FOI <foi@digitalhealth.gov.au>
Sent: Monday, September 23, 2024 10:47 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: FOI <foi@digitalhealth.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Dear OAIC

Thank you for your email below – noting your advice regarding extensions, is it possible to seek an additional few hours this afternoon to provide our response to the consultation?

Kind regards,

s22

s22 – A/g Assistant Director – Governance Services – Governance – Corporate Services Division
s22 Web: www.digitalhealth.gov.au

My standard working hours are: Monday 8am to 3:30pm, Tuesday 8am to 5pm, Wednesday 8am to 4pm, Thursday

8am to 5pm, Friday 9:30am to 4pm

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

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- The name of the agency
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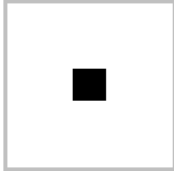
I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a

decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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s 47C and 47E(d)

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



S22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
[E foi@oaic.gov.au](mailto:foi@oaic.gov.au)

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: s22
To: [OAIC - FOI](#)
Cc: [Privacy](#); [FOI](#)
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 11:23:07 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image005.jpg](#)

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OFFICIAL

Dear s22 the Treasury agrees to the additional disclosure of:

- the name of the agency (the Treasury) and
- the OAIC reference number associated with the reported breach

Kind regards,

s22

s22 — Deputy General Counsel

General Counsel's Branch
Law Division

s22

Note: The contents of any legal advice set out in this email is subject to legal professional privilege. Please do not disclose the contents of this legal advice more broadly within the Treasury (that is, outside the scope of persons to whom the legal advice is (or was) directed), on the Treasury's intranet or outside the Treasury without first consulting the General Counsel's Branch.

OFFICIAL

OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

OFFICIAL

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

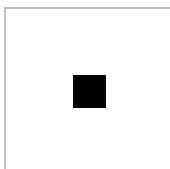
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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OFFICIAL

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From: [FOI](#)
To: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 11:37:47 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

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Good morning

I refer to our email exchange and specifically the email of Wednesday 18 September 2024.

The email proposed the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

Your email dated Thursday 19 September 2024 attached an extract of the lines relevant to the Department of Corporate and Information Services.

I have consulted with the Department of Corporate and Information Services on the extracted lines provided and confirm they do not object to the disclosure of that information.

Yours faithfully

s22

s 22

s 22

§ 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Thursday, September 19, 2024 10:38 AM

To: FOI <FOI@nt.gov.au>

Cc: OAIC - FOI <FOI@oaic.gov.au>

Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Dear s22

Thank you for your email.

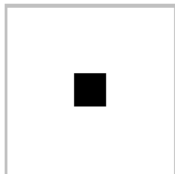
The request relates to the Department of Corporate and Information Services NT.

Grateful if you could please forward our correspondence or provide the correct contact details of the department.

Thank you in advance.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: FOI <FOI@nt.gov.au>

Sent: Wednesday, September 18, 2024 2:18 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Hello s22

I refer to your email below received earlier today, sent to the NTG Centralised FOI Unit.

I have reviewed the attached document however I am unable to decipher which NT Government department it relates to. Could advise which NTG agency you wish to consult with to so that I can forward to the relevant department.

Thanks and kind regards
Bronwen

s22

Director

Freedom of Information (FOI) -- Information Management Services

Department of **Corporate and Digital Development** | Northern Territory Government

Level 1, 9 Cavenagh Street, Darwin | GPO Box 2391, Darwin, NT 0801

s22

| E: FOI@nt.gov.au

Our vision: Improve customer experience through exceptional services and solutions

Our values: **Honest** | **Professional** | **Respectful** | **Accountable** | **Innovative**

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Please consider the environment before printing this email

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of

the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

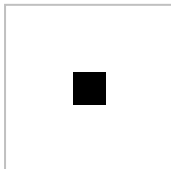
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: s22
To: OAIC - FOI
Cc: s22
Subject: FW: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 11:28:52 AM
Attachments: [image002.jpg](#)
[image001.jpg](#)
[image005.jpg](#)
[image004.png](#)
[image007.jpg](#)

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Good afternoon FOI team

I have spoken with our Executive General Manager and can confirm that the TAC does not object to the release of its name and the OAIC reference number.

Kind regards,

s22

s22 (she/her)
Senior Information and Privacy Advisor
Government, Legislation & Privacy

s22
www.tac.vic.gov.au

6F91BCE5

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, 18 September 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector*

is government (local, state, and federal government).

- The required document is similar to the one released in FOIREQ24/00132.
- Respondent names are to be included in the scope of this request.

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

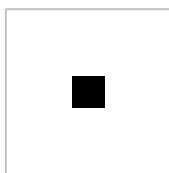
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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From: [FOI \(NDIS Commission\)](#)
To: [OAIC - FOI](#)
Cc: [FOI \(NDIS Commission\)](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 11:47:01 AM
Attachments: [image003.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image002.jpg](#)
[19. NDIS 1 .jpg](#)
[20. NDIS 2 .jpg](#)
[21. NDIS 3 .jpg](#)

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Good morning,

Thank you for your consultation request in relation to privacy breaches reported to the OAIC by the NDIS Commission.

NDIS Commission has no objections with the proposed approach of the OAIC releasing:

- The name of the agency
- The OAIC reference number associated with the reported breach

NDIS Commission notes that OAIC is proposing to release only the Agency name and OAIC reference number in addition to the material already released and requests that any further details about the privacy breaches reported to the OAIC should continue to be redacted.

Should you have any queries or wish to discuss, please do not hesitate to contact me at foi@ndiscommission.gov.au.

Kind regards,

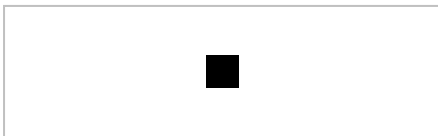
s22

Freedom of Information Unit

Legal Services and Internal Integrity Division

W: www.ndiscommission.gov.au

E: foi@ndiscommission.gov.au



The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*

- *The required document is similar to the one released in FOIREQ24/00132.*
- *Respondent names are to be included in the scope of this request.*

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

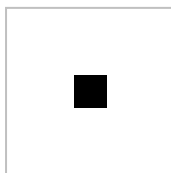
- The name of the agency
- The OAIC reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024** we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.



s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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s 47C and 47E(d)



s 47C and 47E(d)



s 47C and 47E(d)

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 3:30:54 PM
To: s 47E(d)
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL:Sensitive]

Our reference: **FOIREQ24/00423**

Dear s 47E(d)

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

To assist with your consideration, please see **attached** an extract of lines relevant to the Commission.

I am not considering releasing any further information that is contained within the document, apart from that listed above.

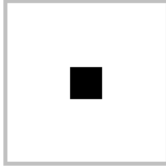
Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024**, we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

Kind regards,

s22



s22 (he/him)

Paralegal

Office of the Australian Information Commissioner

Melbourne |

E foi@oaic.gov.au

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From: [Internal FOI](#)
To: [OAIK - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC-OFFICIAL]
Date: Monday, 23 September 2024 11:56:12 AM
Attachments: [FOIREQ24/00423](#)
[FOIREQ24/00423](#)
[FOIREQ24/00423](#)
[FOIREQ24/00423](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognise the sender and know the content is safe.

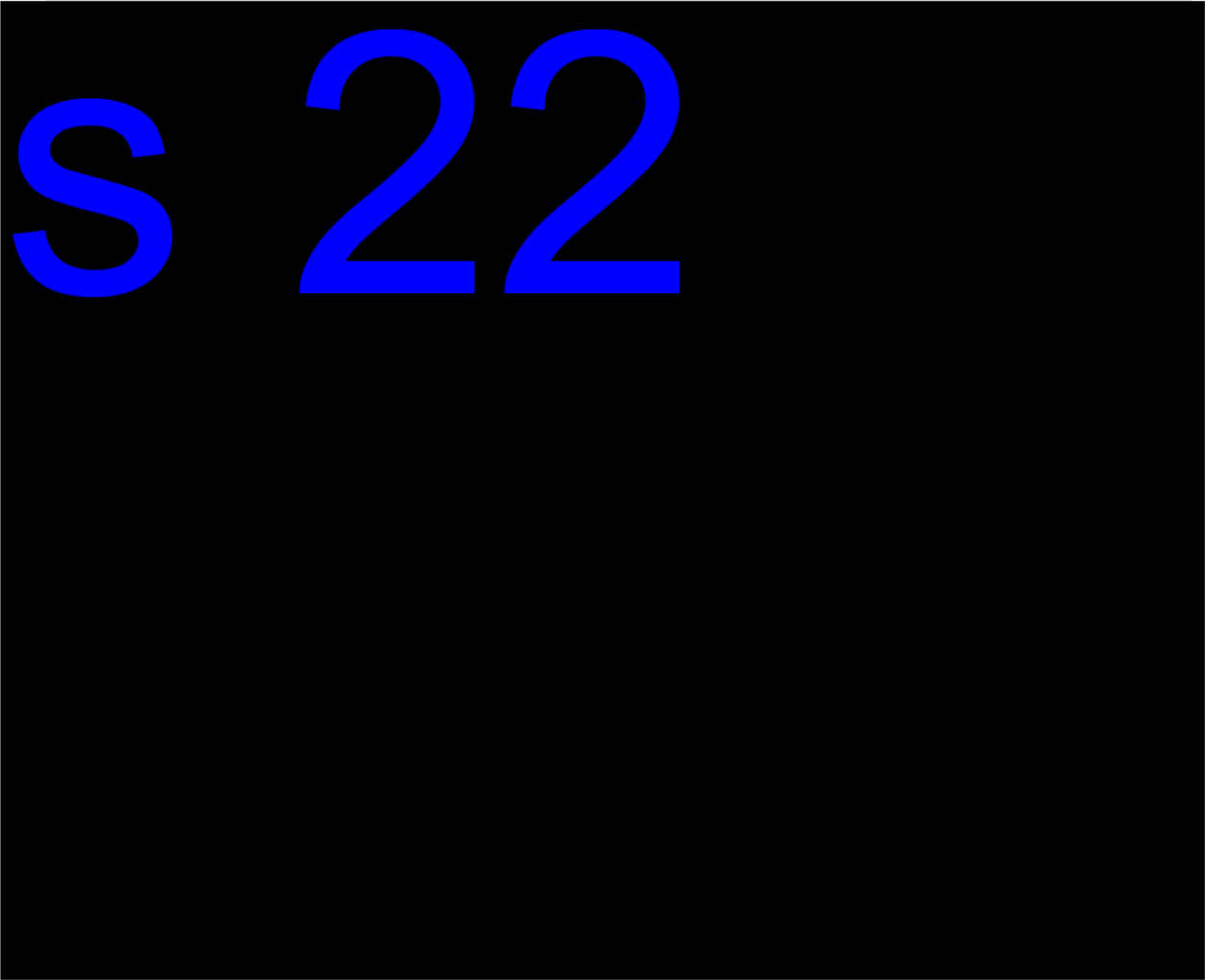
OFFICIAL

Dear **[redacted]**

Thank you for your further email with the additional information.

Given the below, the Court does not object to the disclosure of the agency name and OIAC reference number.

Kind regards
[redacted] | In-House Lawyer, Office of General Counsel
Federal Court of Australia | Harry Gibbs Commonwealth Law Courts, 119 North Quay BRISBANE QLD 4000



From: OAIK - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIK - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC-OFFICIAL]

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Our reference: FOIREQ24/00423

Dear FOI contact officer

The OAIK has received a request under the Freedom of Information Act 1982 (the FOI Act) for access to:

- 1. Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).
 - The required document is similar to the one released in FOIREQ24/00132.
 - Respondent names are to be included in the scope of this request.

The OAIK made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [log00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIK reference number associated with the reported breach

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by 1pm Monday 23 September 2024. Please note that as a decision is due in relation to this matter on Tuesday 25 September 2024 we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

[redacted]
Senior Lawyer
Office of the Australian Information Commissioner



Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

The Oaic acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: [foi](#)
To: [OAIC - FOI](#)
Cc: [foi](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 12:08:22 PM
Attachments: [image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.jpg](#)
[image001.jpg](#)

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Dear **s22**

Thank you for allowing the NDIA the opportunity to comment on the proposed release.

The NDIA does not have any concerns if the OAIC were to release:

- The name of the agency
- The OAIC reference number associated with the reported breach

Kind regards

s22
Early Resolution and Triage
Complaints Management and FOI Branch
National Disability Insurance Agency
E foi@ndis.gov.au

NDIA logo



The NDIA acknowledges the Traditional Custodians of Country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to Elders past, present and emerging.



From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

You don't often get email from foi@oaic.gov.au. [Learn why this is important](#)

Our reference: **FOIREQ24/00423**

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Senior Lawyer

Office of the Australian Information Commissioner



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E foi@oaic.gov.au

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From: s22
To: [OAIC - FOI](#)
Cc: [Legal and Governance](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 12:24:52 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image004.jpg](#)

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Hi s22

If it is your finding that these additional disclosures must be made, then Creative Australia does not object to the release of the OAIC reference number and/or our agency name.

However, it should be noted that we do support the primary decision that the conditional exemption under s.47E(d) of the FOI Act applies and that it is not in the public interest for this information to be released. Disclosure of agency names in connection with the Notifiable Data Breach scheme does not support the operation or objectives of the scheme and public disclosure of agency names could lead to targeted attacks by malicious actors.

Kindly,
s22

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, 18 September 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Some people who received this message don't often get email from foi@oaic.gov.au. [Learn why this is important](#)

EXTERNAL EMAIL: This email originated from outside Creative Australia. Be cautious, particularly with links and attachments.

Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

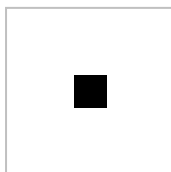
- The name of the agency
- The OAIC reference number associated with the reported breach

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Thank you in advance for your assistance with this matter.



s22

Senior Lawyer

Office of the Australian Information Commissioner

Sydney | GPO Box 5288 Sydney NSW 2001

E foi@oaic.gov.au

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switchboard on 1300 488 064 during business hours (8:30am - 5pm Canberra time) and delete all copies of this transmission together with any attachments.

From: [OAIC - FOI](#)
To: [FOI](#)
Cc: [OAIC - FOI](#)
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 12:27:48 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

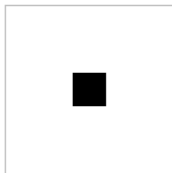
Hi **s22**

Thanks for your email. The OAIC reference number is only used internally by the OAIC. The release of this number will not provide any additional information to parties outside of the OAIC.

Please let me know if you have any other questions.

Kind regards

s22



s22
A/g Senior Lawyer
Office of the Australian Information Commissioner
E foi@oaic.gov.au

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From: FOI <foi@adelaide.edu.au>
Sent: Monday, September 23, 2024 10:26 AM
To: OAIC - FOI <FOI@oaic.gov.au>
Cc: FOI <foi@adelaide.edu.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Hi **s22**

We are formulating our response to be provided to you today and note that you have requested

the response by midday today.

Before we respond, could you please confirm what providing the OAIC reference number allows a member of the public to do with that reference number? Can they access any further information using that number? We are unsure what that means for the University if the number is provided to the applicant.

Kind regards

s22

s22

Senior Trusts & FOI Officer

[Legal Services](#) Branch | Division of University Operations

THE UNIVERSITY OF ADELAIDE

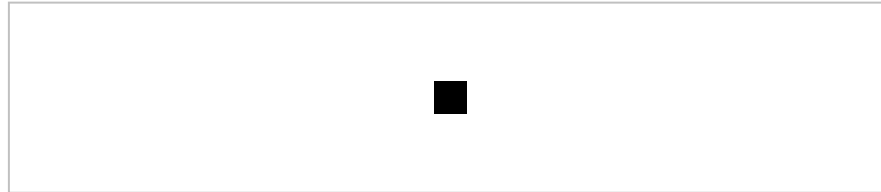
Adelaide SA 5005

s22

www.adelaide.edu.au/legalandrisk

Australian University Provider Number PRV12105

CRICOS Provider Number 00123M



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From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:17 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

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The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
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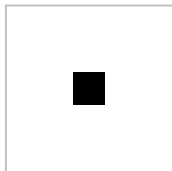
- The name of the agency
- The OAIC reference number associated with the reported breach

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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: FOI
To: OAG, FOI, FOI
Subject: RE: FOIREQ24/00523 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC-OFFICIAL]
Date: Monday, 23 September 2024 12:29:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.png](#)

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Thanks **s22** for the additional information, the ARC has no objection.

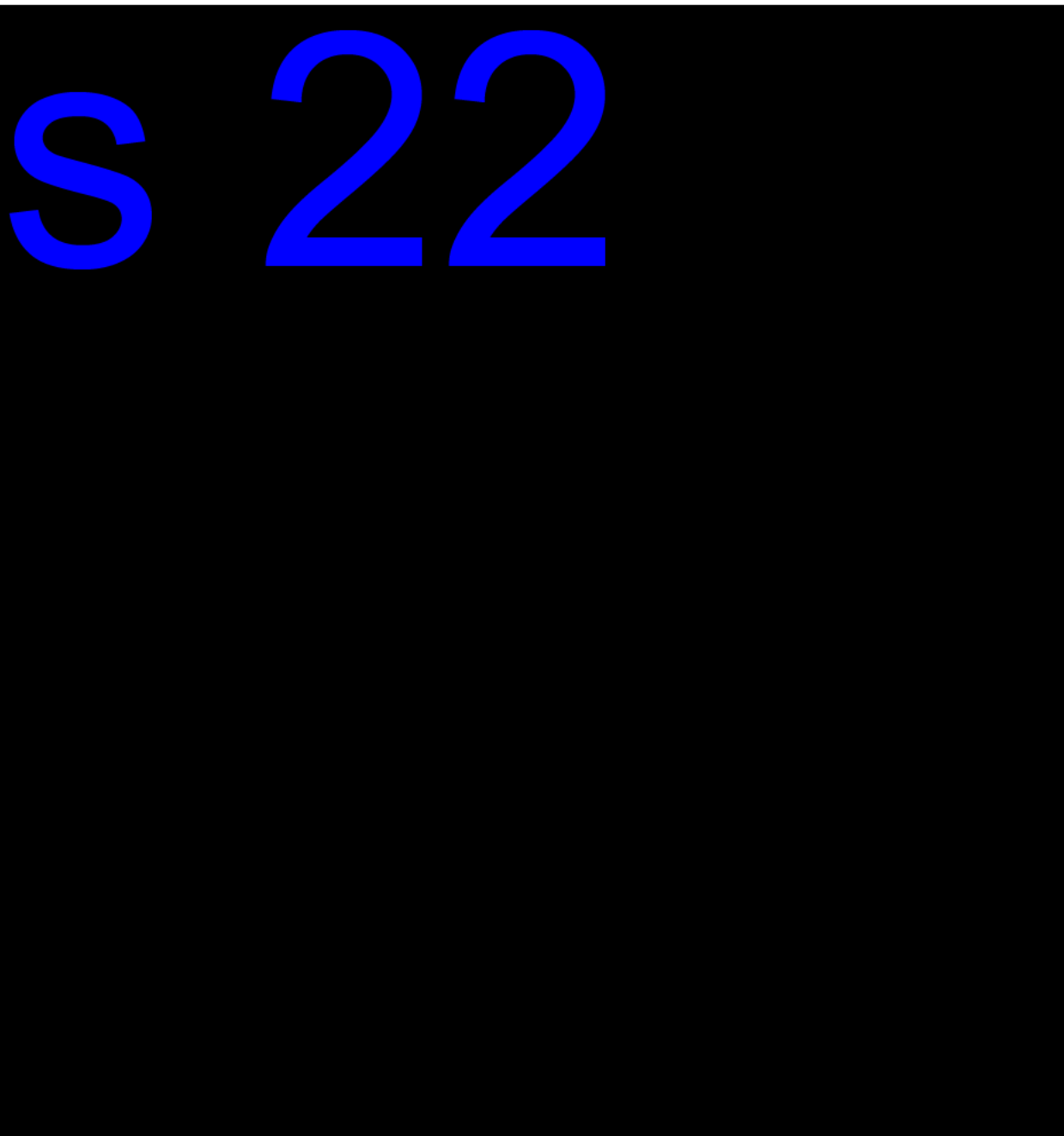
s22 we appreciate OAG's confirmation of the missing information.

Yours sincerely,

s22
Australian Research Council
E foi@arc.gov.au
Level 2, 11 Lancaster Place, Canberra Airport ACT 2609
GPO Box 2702, Canberra ACT 2601
arc.gov.au | [ARC Twitter](https://www.arc.gov.au/arc-twitter)



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OFFICIAL

From: OAIIC - FOI <foi@oaic.gov.au>**Sent:** Wednesday, September 18, 2024 1:47 PM**To:** OAIIC - FOI <foi@oaic.gov.au>**Subject:** FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]Our reference: **FOIREQ24/00423**

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S22
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Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
foi@oaic.gov.au

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From: s22
To: [OAIC - FOI](#)
Cc: [infolaw](#); [FOI](#)
Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]
Date: Monday, 23 September 2024 12:33:31 PM
Attachments: [image001.jpg](#)
[image003.jpg](#)

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Dear s22

Thank you for the opportunity to consult.

- The Department has no comments about the release of the agency name and reference number field, in relation to the issues addressed by section 47E(d) of the *Freedom of Information Act 1982*;
- The Department notes that the release of these fields may make affected individuals more readily identifiable to themselves and others aware of the reporting of the eligible data breach in question;
- The Department would have questions about the potential for identification of individuals more broadly, if further fields were to be released publicly.

Please let us know if you would like to discuss.

Kind regards

s22
**Special Counsel - Privacy
Corporate and Commercial
Legal Services Group**

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From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Wednesday, September 18, 2024 1:47 PM
To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

Our reference: **FOIREQ24/00423**

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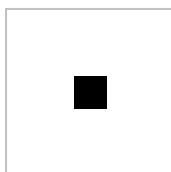
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s22
Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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From: [OAIC - FOI](#)
To: [FOI](#)
Cc: [REDACTED]; [OAIC - FOI](#)
Subject: RE: s 47C and 47E(d) Freedom of Information Consultation [REDACTED] s 47E(d) [REDACTED] /Your Ref: FOIREQ24/00423)
[SEC=OFFICIAL:Sensitive]
Date: Monday, 23 September 2024 12:35:23 PM
Attachments: [image001.jpg](#)
[image004.jpg](#)
[image005.gif](#)
[image007.gif](#)
[image008.jpg](#)

Hi s22

Thank you for your email.

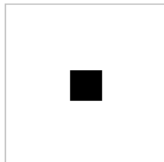
I confirm that we have received the s 47E(d) [REDACTED]. We are still in the process of considering the various responses received from agencies and have not yet made a decision.

Due to the number of agencies consulted with on this request we may not be able to provide notification of the decision prior to it being provided to the applicant.

If you would like to discuss please call me on s22 [REDACTED].

Kind regards

s22



s22 [REDACTED]
A/g Senior Lawyer
Office of the Australian Information Commissioner
s22 [REDACTED] E foi@oaic.gov.au

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s 47C and 47E(d)

s 47C and 47E(d)



s 47C and 47E(d)

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 3:30:54 PM
To: s 47E(d)
Cc: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL:Sensitive]

Our reference: **FOIREQ24/00423**

Dear **s 47E(d)** contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

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 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

The OAIC made a primary decision to create a document under s.17 of the FOI Act and release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

- The name of the agency
- The OAIC reference number associated with the reported breach

To assist with your consideration, please see **attached** an extract of lines relevant to the Commission.

I am not considering releasing any further information that is contained within the document, apart from that listed above.

Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

Please provide your response by **1pm Monday 23 September 2024**. Please note that as a decision is due in relation to this matter on **Tuesday 25 September 2024**, we are unable to provide an extension of time to respond.

Thank you in advance for your assistance with this matter.

Kind regards,

s22

s22 (he/him)
Paralegal



Office of the Australian Information Commissioner
Melbourne |
[E \[foi@oaic.gov.au\]\(mailto:foi@oaic.gov.au\)](mailto:foi@oaic.gov.au)

The OAIC acknowledges Traditional Custodians of Country across Australia and their continuing connection to land, waters and communities. We pay our respect to First Nations people, cultures and Elders past and present.

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From: [GIPA-DCS](#)
To: [OAIC - FOI](#)
Subject: FOIREQ24/00423 - Consultation - For Further Consideration
Date: Monday, 23 September 2024 12:47:19 PM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.jpg](#)
[image012.jpg](#)
[image016.jpg](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[GIPA-00819-2024 TPC Review.pdf](#)

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OFFICIAL

Dear **s22**

Please see attached our response in reply for consultation.

Kind regards

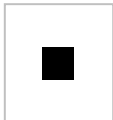
s22 (she/her)
Support Advisor

Department of Customer Service

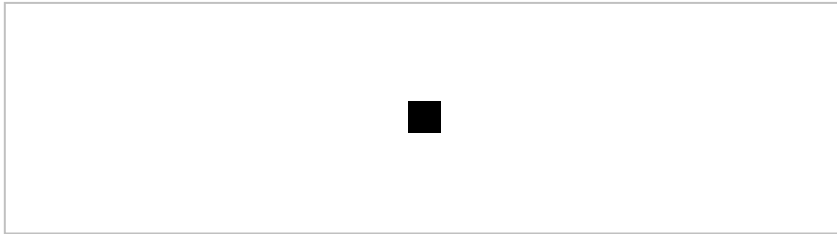
E gipa@customerservice.nsw.gov.au

nsw.gov.au

Level 7, McKell Building
2-24 Rawson Place
Sydney NSW 2000



I acknowledge the Traditional Custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.



Please find attached letter for your consideration before the release of the data.

OFFICIAL

From: OAIC - FOI <FOI@oaic.gov.au>
Sent: Thursday, September 19, 2024 2:32 PM
To: GIPA-DCS <gipa@customerservice.nsw.gov.au>
Cc: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Dear **s22**

Thank you for your email

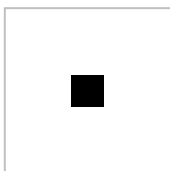
Please see **attached** an extract of the line relevant to the Department.

Please note that we are only proposing to release, in addition to the material already released, agency name and OAIC reference no.

I hope this assists with your consideration. If we can provide any further assistance, please do not hesitate to contact me.

Kind regards,

s22



s22 (he/him)

Paralegal
Office of the Australian Information Commissioner
Melbourne |

E foi@oaic.gov.au

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From: GIPA-DCS <gipa@customerservice.nsw.gov.au>
Sent: Thursday, September 19, 2024 12:59 PM
To: OAIC - FOI <FOI@oaic.gov.au>
Subject: RE: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Dear **s22**

Can you please confirm which data breach impacted the Department of Customer Service or Service NSW.

- Page 4 - 12/05/2020
- Page 13 – 13/04/2021
- Page 27 – 02/09/2022
- Page 32- 08/03/2023
- Page 35 – 14/07/2023

Our position is that we don't have enough information to allow for thorough consultation with the business units who reported the breach to the OAIC to consent to the release of our agency details.

I look forward to hearing from you.

Kind regards

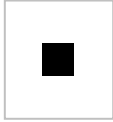
s22 (she/her)
Support Advisor

Department of Customer Service

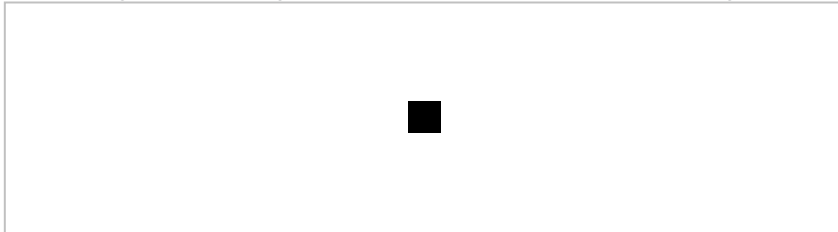
s22 E gipa@customerservice.nsw.gov.au

nsw.gov.au

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Sydney NSW 2000



I acknowledge the Traditional Custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.



From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

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Our reference: **FOIREQ24/00423**

Dear FOI contact officer

The OAIC has received a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

1. *Data breach reports from 1 January 2020 to 5 July 2024 where the respondent's sector is government (local, state, and federal government).*
 - *The required document is similar to the one released in FOIREQ24/00132.*
 - *Respondent names are to be included in the scope of this request.*

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release the document in part, redacting respondent (government names) under s.47E(d) of the FOI Act. A copy of the document released to the applicant is available on our disclosure log [00352-Bundle.pdf \(oaic.gov.au\)](#). The applicant has made a request for internal review of this decision and in particular the decision to redact government names under s.47E(d) of the FOI Act. I am currently reviewing the decision.

As an agency listed on the document, could you please consider and provide submissions as to whether you object to the additional disclosure of:

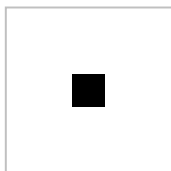
- The name of the agency
- The OAIC reference number associated with the reported breach

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Please note that your comments will be taken into consideration, but that the ultimate decision on disclosure falls with the FOI decision maker.

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Thank you in advance for your assistance with this matter.



s22

Senior Lawyer
Office of the Australian Information Commissioner
Sydney | GPO Box 5288 Sydney NSW 2001
E foi@oaic.gov.au

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Department of Customer Service



s22

Office of the Australian Information Commissioner
Via email: foi@oaic.gov.au

Our Ref: GIPA-00819-2024

Your Ref: FOIREQ24/00423

23 September 2024

Dear s22

Thank you for consulting with us on the release of information under the *Government Information (Public Access) Act 2009* (GIPA Act). I am writing to you with our final response to this consultation.

Service NSW does not object to the release of the information

The Cyber Security and Privacy teams have reviewed the records you provided, and we can advise that Service NSW does not object to the release of the information which you sought our opinion in consultation. However, we do have an objection to the release of the information within the column 'Number of people affected (range)'.

The Privacy Manager, Service NSW has reviewed the original notification form submitted on 12 May 2020 to the Office of the Australian Information Commissioner (OAIC) and has confirmed that we did not state the number of individuals impacted on notification.

Service NSW were very transparent in response to this data breach and it was estimated that the number of impacted individuals were approximately 103,000.

We ask that the OAIC review this original notification to ensure the data being released is accurate.

Next steps

We would appreciate if your agency could advise us of your final decision regarding this access application.

If you require further information, please contact our team on gipa@customerservice.nsw.gov.au or phone s22.

Yours sincerely

s22

Support Advisor, DCS GIPA

s 47C and 47E(d)

s 22

s 22

s 22

From: OAIC - FOI <FOI@oaic.gov.au>

Sent: Wednesday, September 18, 2024 1:47 PM

To: OAIC - FOI <FOI@oaic.gov.au>

Subject: [External] FOIREQ24/00423 - Consultation - Response required lunchtime Monday 23 September 2024 [SEC=OFFICIAL]

EXTERNAL SENDER – Be cautious opening Links and Attachments

Our reference: **FOIREQ24/00423**

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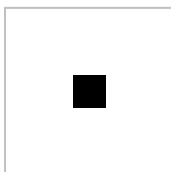
- The name of the agency
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Sydney | GPO Box 5288 Sydney NSW 2001
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