

Our reference: CIT2022-004

[Redacted]

By email: [Redacted]

Dear [Redacted]

DECISION ON YOUR ACCESS APPLICATION

I refer to your access application made under the *Freedom of Information Act 2016 (FOI Act)* received by the Canberra Institute of Technology (CIT) via email on 8 June 2022. In your application you requested CIT provide you with the following information:

*“a copy of the 01/01/2017 contract with “Trustee for the Patrick Hollingworth Family Trust”.
The contract is referenced on page 142 of the CIT 2017 Annual Report”.*

Authority

I am a Senior Executive officer appointed as a CIT Information Officer to make decisions about access to government information, in accordance with section 18 of the FOI Act.

Decision

I am refusing to deal with this request pursuant to section 43(d) of the FOI Act, as the information requested is already publicly available. Section 45(c) of the Act, states that for the purposes of the Act information is deemed to be publicly available if the information is available as part of a public register established under territory law.

The contract referenced on page 142 of the CIT 2017 Annual Report relates to the contract executed on 26 July 2017 between the Canberra Institute of Technology and The Trustee for the Patrick Hollingsworth Family Trust titled “Transformation of CIT Strategic Compass 2022” (CIT2017/1614). The contract and a variation to the contract which was executed on 17 April 2018 are available from the ACT Tenders Contract Register at - <https://www.tenders.act.gov.au/contract/view?id=161871>.

We note that page 142 of the 2017 CIT Annual Report lists the value of the contact CIT2017/1614 as \$86,208.58. The Government contracting section of CIT's 2017 Annual Report includes the list of contracts with expenditure greater than \$25K during 2017. The amount reported is expenditure for that year and not the contract value. This reporting has been changed since the Annual Report 2018 and CIT reports contracts on the ACT Government Contracts Register with a value of \$25,000 or more executed during the reporting year.

Disclosure log

Please note that section 28 of the FOI Act requires publication of access applications and any information subsequently released on CIT's disclosure log at:

https://cit.edu.au/about/freedom_of_information/disclosure_log.

This means that if access to the information is granted, it will also be made publicly available on our website, unless the access application is an application for your personal, business, commercial, financial or professional information.

Review rights

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act.

An application for review must be made in writing within 20 days of my decision being published in the disclosure log on 23 August 2022.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au

Post: The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at:

<http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information>.

Yours sincerely



Steven Wright
A/g Executive Director, Corporate Services &
Information Officer
26 July 2022