



Australian Government
Civil Aviation Safety Authority

LEGAL, INTERNATIONAL AND REGULATORY AFFAIRS
RMS Ref: F20/22396

26 March 2021

Glen Buckley

Via email: defendapta@gmail.com

Dear Mr Buckley,

ACCESS TO DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT

I refer to your submission 24 February 2021, seeking access to documents under the *Freedom of Information Act 1982 (Cth)* (the Act). Your request was for:

- '1. The membership of the ASC.*
- 2. Can I request the minutes of the meeting or any associated documentation from the meeting that APTA was discussed at. My assumption is that my matter would have been considered at the ASC level, and there would be correspondence reflecting that'.*

On 25 February 2021, I requested further information in regard to personal information and third parties and requested a timeframe in reference to point 2 of your access request:

'If you could please consider and provide response to the below queries.

1. Please note, in regard to point 2 of your access request:

'Can I request the minutes of the meeting or any associated documentation from the meeting that APTA was discussed at. My assumption is that my matter would have been considered at the ASC level, and there would be correspondence reflecting that'

Please provide a timeframe to the above component of your request in order to appropriately assess and scope your request.

2. Furthermore, The below questions are detailed on the CASA online submission form and provide important additional details that will assist in the decision of your access request.

Personal information

Personal information in documents is the subject of one of the conditional exemptions in the FOI Act, which means CASA may decide it cannot give you access to such documents.

- a) *Do you agree to the removal of the names of any CASA officers from the documents you are seeking?*
- b) *Do you agree to the removal of the names of any third parties from the documents you are seeking?*

3. Consultation with third parties

If the documents you seek relate to an individual/organisation under the Act (other than the applicant) it may be necessary for CASA to consult with that individual/organisation to obtain their views about the potential release of documents.

- c) *Where consultation with a third party is necessary, do you agree to the disclosure of your identity for the purposes of third-party consultation?'*

On 9 March 2021, CASA received response:

'Thank you for the correspondence and apologies for the delay.

Regarding the timeframe, can I request that it be anytime APTA was considered or discussed at any ASC meeting from January 2017 to the present.

Regarding the removal of the names of CASA employees. I do not consent to the removal of the names. I do not feel there is any valid reason that the members of CASAs Committee responsible for the management of aviation regulatory risk and safety risk would be withheld from the public.

Regarding the names of other personnel that are not employees of CASA, I feel that I have a valid basis for requesting the names of those individuals for the reasons that I have mentioned above.

Thank you for your consideration. Cheers. Glen'

You do not agree to the removal of CASA staff names or third parties contained in the documents.

Decision

I am an officer authorised under section 23(1) of the Act to make decisions in relation to freedom of information requests.

In regard to point 1 of your access request:

'The membership of the ASC'

I am the decision maker for your request. I have identified 1 document comprising of 4 pages that are within the scope of your request as set out in the below schedule. I have decided to release the documents to you with part exemptions. Document 1 contains material that is outside the scope of your request, and pursuant to section 22 of the Act this part of the document has been redacted accordingly.

No.	Date of document	Description of document	Decision
1.	February 2020	Aviation Safety Committee Terms of Reference	<i>Part Exempt</i> <ul style="list-style-type: none">• S22

Furthermore, in regard to point 2 of your request:

2. Can I request the minutes of the meeting or any associated documentation from the meeting that APTA was discussed at. My assumption is that my matter would have been considered at the ASC level, and there would be correspondence reflecting that'.

On 9 March 2021, you provided a refined scope with the addition of a timeframe:

'from January 2017 to the present'.

In accordance with subparagraph 24A(1)(b)(ii) of the Act, I am satisfied the documents you are seeking do not exist.

Application for internal review of decision

Section 54 of the Act gives you the right to apply for an internal review of my decision. An application for internal review of my decision must be made in writing within 30 days of receipt of this letter.

No particular form is required, but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed. An application for review should be addressed to Freedom of Information at the address below:

Freedom of Information
Advisory and Drafting Branch
Legal, International and Regulatory Affairs Division
Civil Aviation Safety Authority
GPO Box 2005
Canberra ACT 2601

Review by the Australian Information Commissioner

Alternatively, under section 54L of the Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: <http://www.oaic.gov.au/freedom-of-information/requesting-a-review>
email: enquiries@oaic.gov.au
post: GPO Box 2999, Canberra ACT 2601
in person: Level 3, 175 Pitt Street, Sydney NSW
phone: 1300 363 992

Yours sincerely,



Georgia Hill
Freedom of Information Officer
Advisory and Drafting Branch
Legal, International and Regulatory Affairs Division
Civil Aviation Safety Authority