



FOI Fundamentals

CPD ELIGIBILITY: 6 POINTS

This six-part course provides attendees with an overview of the *Freedom of Information Act 1982* (Cth) (FOI Act) as well as the process and obligations of agencies managing FOI requests under the FOI Act. Each module is delivered as a stand-alone one hour CLE and must be completed in this order.



Molly Campbell

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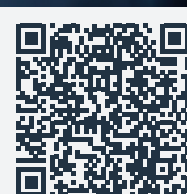
Molly Campbell (Senior Associate) is an FOI expert and experienced Information Law practitioner, with extensive State and Commonwealth experience across Information Release, Privacy and FOI practice areas. She has expertise in all aspects of FOI, including FOI decision making and litigation, regularly advising and appearing on behalf of State and Commonwealth Agencies and Minister's during various stages of Commonwealth Office of the Australian Information Commissioner, Administrative Appeals Tribunal and Federal Court of Australia FOI proceedings. Molly regularly assists with the quality assurance and training of government lawyers and non-legal staff in the information law space —including on the application of the FOI Act and the *Privacy Act 1988* (Cth), secrecy provisions, information law matter management and relevant legal updates.

Cost

\$1,190 excl GST per person.
(Note: minimum numbers apply)

2024 Course Dates

Online – Wednesday 27 March 2024,
9.30am-5pm (AEDT). Register your interest
using the resources on the right.



How to book

To register for the session please email
government.training@sparke.com.au
or visit our website by scanning the QR code.



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Course outline

Part one: Overview of FOI Act (1 hour)

- Object of the FOI Act.
- Scope of the FOI Act.
 - what is “government information”?
 - what is a “record”?
 - when is a record “held”?
- What is a valid FOI request?
- Who can seek access and how?
- Timeframes and how to proactively manage them.

Part two: Commonwealth contracts (1 hour)

- Eligible Commonwealth contracts.
- Standard contract terms.

Part three: Third party consultation (1 hour)

- When to undertake third-party consultation.
- How to undertake third-party consultation.
- Impact on timeframes.
- Third-party appeal rights.

Part four: Role of an FOI officer (1 hour)

- Proactively managing the process.
- Search obligations.
- Decision-making.
- Refusals:
 - information not held
 - voluminous request
 - information already available.



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Part five: Exemptions and conditional exemptions (1 hour)

- Exemptions,
- Conditional exemptions,
- Balancing the public interest:
 - factors in favour of disclosure
 - factors against disclosure
 - balancing the factors.

Part six: Risks and review process (1 hour)

- Risks.
- Review of options:
 - Internal review
 - Office of the Australian Information Commissioner Review
 - Administrative Appeals Tribunal review.

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