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Notice of Decision and Reasons for Decision

Applicant:	'DD7'
Agency:	Office of the Chief Parliamentary Counsel Victoria
Decision date:	4 June 2021
Exemptions considered:	Sections 32(1), 33(1), 34(1)(b)
Citation:	'DD7' and <i>Office of the Chief Parliamentary Counsel Victoria (Freedom of Information)</i> [2021] VICmr 161 (4 June 2021)

FREEDOM OF INFORMATION – repeated requests – legal professional privilege – invoices – commercial in confidence – varied decision

All references to legislation in this document are to the *Freedom of Information Act 1982 (Vic)* (**FOI Act**) unless otherwise stated.

Notice of Decision

I have conducted a review under section 49F of the Agency's decision to refuse access to documents requested by the Applicant under the FOI Act.

My decision on the Applicant's request differs from the Agency's decision in that I have decided to release additional information in the documents.

I am satisfied no documents fall within the scope of part 1 of the Applicant's request.

I am satisfied information in the documents located by the Agency in response to part 2 of the Applicant's request is exempt under sections 32(1), 33(1) and 34(1)(b). However, I have decided to release additional information in the documents that is relevant to the scope of the Applicant's request where I am not satisfied it is exempt information.

I am satisfied it is practicable to provide the Applicant with edited copies of the documents with exempt information deleted in accordance with section 25.

The Schedule of Documents in **Annexure 1** sets out my decision in relation to each document.

My reasons for decision follow.

Sven Bluemmel
Information Commissioner

4 June 2021

Reasons for Decision

Background to review

1. The Applicant made a request to the Agency for access to the following documents:
 - Provide on CD a copy of all of the State legislation (Acts, Regulations and Rules) of the latest version that is not available for purchase.
 - Provide on the same CD or on a separate CD, all expenditure records associated with the defending of the VCAT case [case reference].
2. In its decision in response to part 1 of the Applicant's request, the Agency refused access to the requested documents under section 24A.
3. In response to part 2 of the request, the Agency located seven documents falling within the terms of the Applicant's request. It decided to grant access to the documents in part, relying on the exemptions under sections 33(1), 32(1) and 34(1)(b) to refuse access to information. The Agency's decision letter sets out the reasons for its decision.

Review

4. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
5. I have examined copies of the documents subject to review.
6. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
7. I have considered all communications and submissions received from the parties.
8. In undertaking my review, I have had regard to the object of the FOI Act, which is to create a general right of access to information in the possession of the Government or other public bodies, limited only by exceptions and exemptions necessary to protect essential public interests, privacy and business affairs.
9. I note Parliament's intention the FOI Act must be interpreted so as to further the object of the Act and any discretions conferred by the Act must be exercised, as far as possible, so as to facilitate and promote the disclosure of information in a timely manner and at the lowest reasonable cost.

Review of Agency's refusal to process part of the request

10. In its decision, the Agency refused access to documents requested in part 1 of the Applicant's request under section 24A(1). In refusing to process part 1 of the request, the Agency was satisfied the Applicant made a previous request to the Agency for access to the same information, which was refused by the Agency and the Victorian Civil and Administrative Tribunal (**VCAT**) affirmed the Agency's decision.
11. In conducting a review under section 49F, section 49P requires that I make a new or 'fresh decision'. Therefore, my review does not involve determining whether the Agency's decision is correct, but rather requires my fresh decision to be the 'correct or preferable decision'.¹ This involves ensuring my decision is correctly made under the FOI Act and any other applicable law in force at the time of

¹ *Drake v Minister for Immigration and Ethnic Affairs* (1979) 24 ALR 577 at 591.

my decision.

12. I have interpreted the scope of the Applicant's request to be for State Acts, statutory rules and regulations that were in force on the date of the Applicant's request that are not available for purchase. I am not satisfied Bills, repealed or expired Acts, or revoked statutory rules and regulations fall within the scope of the Applicant's request.
13. The Agency provided a submission addressing which legislation could be purchased. Based on its submission, I am satisfied that all State Acts and statutory rules and regulations in force at the time of the Applicant's request are available for purchase through the website legislation.vic.gov.au and in person at a bookshop operated by The Information Group Pty Ltd located at Level 10, 575 Bourke St, Melbourne VIC 3000.
14. This information is also available for free via legislation.vic.gov.au and [contextual information relevant to the Applicant].
15. On the information before me, I accept there are no versions of State Acts and statutory rules and regulations in force at the time of the Applicant's request that are not available for purchase. Accordingly, I am satisfied no documents fall within the scope of item 1 of the Applicant's request.
16. Therefore, it is not necessary for me to review the Agency's decision to refuse to process the request under section 24A(1).

Review of exemptions

Section 32(1) – documents containing legally privileged information

17. A document will be exempt under section 32(1) where it contains a confidential communication:
 - (a) between the client (or the client's agent) and the client's professional legal advisers, that was made for the dominant purpose of obtaining or providing legal advice or is referable to pending or contemplated litigation; or
 - (b) between the client's professional legal advisers and third parties, that was made for the dominant purpose of pending or contemplated litigation; or
 - (c) between the client (or the client's agent) and third parties that was made for the purpose of obtaining information to be submitted to the client's professional legal advisers for the dominant purpose of obtaining advice on pending or contemplated litigation.
18. The rationale behind legal professional privilege as an immunity is based in promoting the public interest. As the High Court of Australia observed:

The rationale of this head of privilege, according to traditional doctrine, is that it promotes the public interest because it assists and enhances the administration of justice by facilitating the representation of clients by legal advisers, the law being a complex and complicated discipline. This it does by keeping secret their communications, thereby inducing the client to retain the solicitor and seek his advice, and encouraging the client to make a full and frank disclosure of the relevant circumstances to the solicitor.²
19. In this matter, the Agency applied the exemption in section 32(1) to information in the documents that disclose descriptions of the professional services provided by its legal representatives.
20. In the matter of *Hodgson v Amcor; Amcor Ltd v Barnes Anor (No. 2)*³ (**Amcor decision**), the Supreme Court of Victoria summarised the position with respect to legal professional privilege claimed over

² *Grant v Downs* (1976) 135 CLR 674 at [19].

³ [2011] VSC 204.

memoranda of fees or solicitor fee/time ledgers:⁴

It is accepted that legal professional privilege attaches to a communication undertaken, or to a document brought into existence, for the dominant purpose of giving or obtaining legal advice. At first glance, a memorandum of professional costs or a time ledger prepared by a solicitor does not have this dominant purpose. It is prepared for the purpose of accounting to the client for work done, and rendering a bill of costs in respect of it.

However, and subject to meeting the dominant purpose test, legal professional privilege also protects the disclosure of documents that record legal work carried out by the lawyer for the benefit of the client. In these cases, the protection extends to notes, memoranda or other documents made by a lawyer that relate to information sought by the client to enable him or her to advise.

...

In the usual case, a memorandum of fees is brought into existence, not for the dominant purpose of obtaining legal advice or for use in legal proceedings but principally for the purpose of recording and raising charges in respect of work which had been already completed. In such a case, where, for example the memorandum of fees merely set out the dates and refers to the action taken in respect of which a charge is made, no privilege will attach. This was the case in *Lake Cumbeline*.⁵

...

However, cases where memoranda or bills of costs rendered by a solicitor are in detailed form and disclose, either directly or indirectly, communications concerning matters that are protected by the privilege, including instructions given by a client to his solicitors, the advice given, approaches to potential witnesses and other such things, stand in an altogether different class. Such memoranda and bills of costs are likewise privileged.

Were the position to be otherwise, it would work to undermine the privilege and the public policy it seeks to advance. It would have the consequence that a party, while initially at least being able to seek legal advice and initiate the creation of documents for use in legal proceedings fully protected by legal professional privilege, would risk losing the benefits of the privilege when it comes time to pay for the legal services provided. If this was to occur, in my opinion the outcome would "substantially impede freedom of communication between client and legal advisers, which is at the very heart of the privilege, by discouraging free and uninhibited discussion of the issues and questions in the fear that these communications could later be disclosed to the severe disadvantage of the client".⁶

21. Therefore, the question to be determined is whether the information exempted in the invoices would disclose, directly or indirectly, communications subject to legal professional privilege.
22. Having carefully examined each document, I have determined the exempted information in the documents set out in detail tasks performed and narrations that disclose, either directly or indirectly, communications concerning matters protected by legal professional privilege between the Agency and its legal advisers.
23. I am satisfied release of this information would disclose information provided for the dominant purpose of providing legal advice and this information is therefore exempt under section 32(1). It is not appropriate for me to set out in any greater detail the reasons for coming to this conclusion, as to do so may reveal the very information the exemption is intended to protect.
24. Therefore, I am satisfied the information exempted by the Agency under section 32(1) is exempt.

⁴ Ibid at [56-63].

⁵ *Lake Cumbeline Pty Ltd & Ors v Effem Foods Pty Ltd* (1994) 126 ALR 58 at [68].

⁶ Citing Tamberlin J in *Lake Cumbeline* (1994) 126 ALR 58 at [62].

Section 33(1) – Documents affecting an individual’s personal privacy

25. A document is exempt under section 33(1) if two conditions are satisfied:
- (a) disclosure of the document under the FOI Act would ‘involve’ the disclosure of information relating to the ‘personal affairs’ of a person other than the Applicant;⁷ and
 - (a) such disclosure would be ‘unreasonable’.

Do the documents contain personal affairs information of individuals other than the Applicant?

26. Section 33(1) is concerned to protect the unreasonable disclosure of the personal affairs information of a person other than an applicant who seeks access to documents under the FOI Act (a **third party**).
27. Information relating to a third party’s ‘personal affairs’ includes information that identifies any person or discloses their address or location. It also includes any information from which such information may be reasonably determined.⁸
28. A document will disclose a third party’s personal affairs information if it is capable, either directly or indirectly, of identifying that person. As the nature of disclosure under the FOI Act is unrestricted and unconditional, this is to be interpreted by reference to the capacity of any member of the public to identify a third party.⁹
29. I am satisfied the documents contain personal affairs information of third parties, including the names, initials and signatures of employees of external Victorian government agencies.

Would disclosure of the personal affairs information be unreasonable?

30. The concept of ‘unreasonable disclosure’ involves balancing the public interest in the disclosure of official information with the interest in protecting an individual’s right to personal privacy in the circumstances.
31. In *Victoria Police v Marke*,¹⁰ the Victorian Court of Appeal held there is ‘no absolute bar to providing access to documents which relate to the personal affairs of others’. Further, the exemption under section 33(1) ‘arises only in cases of unreasonable disclosure’ and ‘[w]hat amounts to an unreasonable disclosure of someone’s personal affairs will necessarily vary from case to case’. The Court further held, ‘[t]he protection of privacy, which lies at the heart of [section] 31, is an important right that the FOI Act properly protects. However, an individual’s privacy can be invaded by a lesser or greater degree’.¹¹
32. Therefore, the proper application of section 33(1) involves consideration ‘of all matters relevant, logical and probative to the existence of conditions upon which the section is made to depend’.¹²
33. Whether the personal affairs information of agency officers is exempt under section 33(1) must be considered in the context of the particular circumstances of each matter.¹³ VCAT has accepted there is nothing particularly sensitive about matters occurring or arising out of the course of a person’s

⁷ Sections 33(1) and (2).

⁸ Section 33(9).

⁹ *O’Sullivan v Department of Health and Community Services (No 2)* [1995] 9 VAR 1 at [14]; *Beauchamp v Department of Education* [2006] VCAT 1653 at [42].

¹⁰ [2008] VSCA 218 at [76].

¹¹ [2008] VSCA 218 at [79].

¹² [2008] VSCA 218 at [104].

¹³ *Coulson v Department of Premier and Cabinet (Review and Regulation)* [2008] VCAT 229.

official or professional duties.¹⁴

34. Subject to an agency demonstrating special circumstances apply, I consider it would not be unreasonable to disclose certain personal affairs information of agency officers, regardless of their seniority, where a document sought is an official document of the agency and provides a record of agency officers carrying out their usual employment duties and responsibilities within a professional context. The nature of such information is to be contrasted with personal affairs information relating to an agency officer in their personal or private capacity.

35. In determining whether disclosure of the personal affairs information in the documents would be unreasonable, I have considered the following factors:

(a) The nature of the personal affairs information and the circumstances in which the information was obtained

The nature of the personal affairs information is described above.

The personal affairs information is contained in invoices for legal services rendered in relation to a previous VCAT review. Given the nature of the documents, I am satisfied the information was obtained by the Agency on a confidential basis.

The personal affairs information concerns persons carrying out their usual duties and responsibilities as public servants. Accordingly, I am not satisfied the information is sensitive.

(b) The extent to which the information is available to the public

Certain personal affairs information in the documents has been disclosed to the Applicant through the court process and [description of circumstances]. However, I am satisfied most of the personal affairs information in the documents is not publicly available.

(c) The Applicant's interest in the information, and whether their purpose for seeking the information is likely to be achieved

The FOI Act provides a general right of access that can be exercised by any person, regardless of their motive or purpose for seeking access to a document. However, the reasons why an applicant seeks access to a document is a relevant consideration in determining whether disclosure would be unreasonable.¹⁵

There is no information before me regarding the reasons to which the Applicant seeks access to the personal affairs information in the documents.

In my view, disclosure of the personal affairs information in the documents would not aid the Applicant in their understanding of the documents.

(d) Whether the individuals to whom the information relates object, or would be likely to object, to the release of the information

Section 33(2B) requires that, in deciding whether the disclosure of a document under the FOI Act would involve the unreasonable disclosure of information relating to the personal affairs of any person, the agency must consult with the relevant third party to seek their views on disclosure of their personal affairs information, where it is practicable to do so.

There is no information before me concerning the views of the third parties concerning the

¹⁴ *Re Milthorpe v Mt Alexander Shire Council* (1997) 12 VAR 105.

¹⁵ *Victoria Police v Marke* [2008] VSCA 218 at [104].

release of their personal affairs information.

On balance, I do not consider third parties would be reasonably likely to object to disclosure of their names or initials given the documents concern those agency officers carrying out their usual employment duties.

(e) The likelihood of further disclosure of information, if released

As stated above, the FOI Act does not impose any conditions or restrictions on an applicant's use of documents disclosed under the FOI Act. Accordingly, I must consider the likelihood and potential effects of further dissemination of the third parties' personal affairs information if released.

There is no specific information before me to suggest the documents would be further disseminated by the Applicant.

(f) Whether any public interest would be promoted by release of the information

I do not consider there to be any public interest that would be promoted through the release of the personal affairs information in the documents.

(g) Whether the disclosure of information would, or would be reasonably likely to endanger the life or physical safety of any person¹⁶

There is no information before me to suggest this is a relevant factor in this case.

36. While I consider the personal affairs information is not sensitive as it relates solely to agency officers performing their professional duties or responsibilities and does not relate to matters concerning their personal or private lives, I am not satisfied disclosure of the information will assist the Applicant with understanding the documents and disclosure will not promote any public interest. Therefore, I have determined the individuals' personal privacy outweighs the public interest in disclosure in this instance.
37. Accordingly, I am satisfied the personal affairs information exempted by the Agency is exempt under section 33(1).
38. My decision on the application of section 33(1) in relation to each document is set out in the Schedule of Documents at **Annexure 1**.

Section 34(1)(b) – Documents containing business, commercial or financial information of an undertaking

39. A document will be an exempt document under section 34(1)(b), if the document contains information:
- (a) acquired from a business, financial or commercial undertaking;
 - (b) that relates to matters of a business, commercial or financial nature;
 - (c) the disclosure of which, having regard to the matters listed in section 34(2), would be likely to expose the undertaking unreasonably to disadvantage.

Was the information acquired from a business, commercial or financial undertaking?

40. The phrase 'information acquired' in section 34(1) signifies the need for some positive handing over

¹⁶ Section 33(2A).

of information in some precise form.¹⁷

41. The phrase 'business, commercial or financial undertaking' generally refers to an entity, such as a company or organisation, that is engaged in business, trade, or commerce for a financial profit or gain.
42. The information was obtained from the Agency from the Victorian Government Solicitor's Office (**VGSO**).
43. While the VGSO is a Victorian Government agency, I am satisfied it provides legal services to the government in competition with other private law firms who are also members of the legal services panel contract arrangement.
44. I am satisfied the VGSO is a business or commercial for the purposes of section 34(1)(b).

Does the information relate to matters of a business, commercial or financial matter?

45. The phrase 'information of a business, commercial or financial nature' is not defined in the FOI Act. Therefore, the words 'business, commercial or financial nature' should be given their ordinary meaning.¹⁸
46. The information exempted by the Agency under this exemption reveal the particular rates and fees incurred for services undertaken by the legal representatives.
47. I am satisfied this information is of a business, commercial and financial matter.

Would disclosure of the information be likely to expose the undertaking unreasonably to disadvantage?

48. Section 34(1)(b) contemplates an undertaking may be exposed to a certain level of disadvantage. The question is whether disclosure would expose the undertaking unreasonably to disadvantage.
49. In determining whether a document is exempt under section 34(1), section 34(2) provides:

In deciding whether disclosure of information would expose an undertaking unreasonably to disadvantage, for the purposes of paragraph (b) of subsection (1), an agency or Minister may take account of any of the following considerations—

- (a) whether the information is generally available to competitors of the undertaking;
- (b) whether the information would be exempt matter if it were generated by an agency or a Minister;
- (c) whether the information could be disclosed without causing substantial harm to the competitive position of the undertaking; and
- (d) whether there are any considerations in the public interest in favour of disclosure which outweigh considerations of competitive disadvantage to the undertaking, for instance, the public interest in evaluating aspects of government regulation of corporate practices or environmental controls—

and of any other consideration or considerations which in the opinion of the agency or Minister is or are relevant.

¹⁷ *Thwaites v Department of Human Services* (1999) 15 VAR 1.

¹⁸ *Gibson v Latrobe CC (General)* [2008] VCAT 1340 at [25].

50. I have also had regard to the decision in *Dalla-Riva v Department of Treasury and Finance*,¹⁹ in which VCAT held documents are exempt under section 34(1)(b) if disclosure would:
- (a) give competitors of a business undertaking a financial advantage;
 - (b) enable competitors to engage in destructive competition with the business undertaking; and
 - (c) would lead to the drawing of unwarranted conclusions as to the business undertaking's financial affairs and position with detrimental commercial and market consequences.
51. Section 34(3) provides, in deciding whether disclosure of information would expose an undertaking unreasonably to disadvantage, if practicable, an agency must notify an undertaking and seek its views on disclosure. I note the Agency consulted with the business undertaking to obtain its view, such that the Agency's confidential submission is largely based on the view of the undertaking.
52. In considering the application of this exemption, I have considered VCAT's reasoning in the *Coulson v Department of Premier and Cabinet*²⁰ in which it determined that itemised lists of professional services in relation to legal fees were exempt under section 34(1)(b). This was on the basis that charge-out rates identified in the documents could, if released, expose legal consultants to disadvantage in the open market.
53. I note the Agency did not claim information about total costs in the documents is exempt under section 34(1)(b), and as such, information about the total fees, including charges for professional services and disbursements, has already been released to the Applicant.
54. On the information before me, the charge-out rates in the documents subject to review are not publicly available and therefore are unlikely to be available to the VGSO's competitors.
55. I am satisfied disclosure of such information would enable the VGSO's competitors to have a competitive financial advantage when tendering for legal services work which would cause substantial harm to the competitive position of VGSO.
56. I am satisfied similar information contained in the documents in this matter is also exempt under section 34(1)(b).
57. In its decision, the Agency claimed the bank account details of VGSO is irrelevant information. Having reviewed the Applicant's request, I am satisfied the term 'expenditure records' would capture all information contained in the documents, including the bank account details of VGSO. Therefore, in accordance with section 49P, I have included this information as part of my review.
58. I am not satisfied section 34(1)(b) applies to the banking details of VGSO because I do not consider this type of information to be commercially sensitive information such that its disclosure would expose VGSO unreasonably to disadvantage. Therefore, the banking details are not exempt under section 34(1)(b).
59. My decision on the application of section 34(1)(b) in relation to each document is set out in the Schedule of Documents at **Annexure 1**.

Section 25 – Deletion of exempt or irrelevant information

60. Section 25 requires an agency to grant access to an edited copy of a document when it is practicable to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.

¹⁹ [2007] VCAT 1301 at [33].

²⁰ [2018] VCAT 229.

61. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'²¹ and the effectiveness of the deletions. Where deletions would render a document meaningless, they are not 'practicable', and release of the document is not required under section 25.²²
62. I am satisfied it remains practicable for the Agency to provide the Applicant with an edited copy of the documents with exempt information deleted in accordance with section 25 as to do so would not require substantial time and effort and the edited documents would retain meaning.

Conclusion

63. I am satisfied no documents fall within the scope of part 1 of the Applicant's request.
64. On the information before me, I am satisfied the documents located in response to part 2 of the request contain information that is exempt under sections 32(1), 33(1) and 34(1)(b).
65. However, I have decided to release additional information in the documents to the Applicant where I am not satisfied it is exempt information or irrelevant to the scope of the Applicant's request.
66. As I am satisfied it is practicable to provide an edited copy of the documents to the Applicant with exempt information deleted in accordance with section 25, I have granted access to the documents in part.
67. The Schedule of Documents in **Annexure 1** sets out my decision in relation to each document.

Review rights

68. If either party to this review is not satisfied with my decision, they are entitled to apply to VCAT for it to be reviewed.²³
69. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.²⁴
70. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.²⁵
71. Information about how to apply to VCAT is available online at www.vcat.vic.gov.au. Alternatively, VCAT may be contacted by email at admin@vcat.vic.gov.au or by telephone on 1300 018 228.
72. The Agency is required to notify the Information Commissioner in writing as soon as practicable if either party applies to VCAT for a review of my decision.²⁶

Third party review rights

73. Section 49P(5) states that if I decide to disclose a document claimed to be exempt under section 33(1) I must, if practicable, notify any person who has a right to apply to VCAT for a review of my decision of their right to do so.

²¹ *Mickelborough v Victoria Police (General)* [2009] VCAT 2786 at [31]; *The Herald and Weekly Times Pty Limited v The Office of the Premier (General)* [2012] VCAT 967 at [82].

²² *Honeywood v Department of Human Services* [2006] VCAT 2048 at [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140] and [155].

²³ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

²⁴ Section 52(5).

²⁵ Section 52(9).

²⁶ Sections 50(3F) and (3FA).

74. Given the nature of the information claimed exempt under section 33(1) that I have decided to release, I am not satisfied it is practicable to notify a third party of their right to review, as I am not satisfied the information is personal affairs information for the purposes of section 33(1).

When this decision takes effect

75. My decision does not take effect until the Agency's 14-day review period expires. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
1.	[Date]	Invoice	4	<p>Released in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p>	<p>Release in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p> <p>The document is to be released to the Applicant with the following exempt information deleted in accordance with section 25:</p> <p>(a) the initials in the reference number are exempt under section 33(1);</p> <p>(b) the information exempted by the Agency under the 'professional services' column is exempt under section 32(1);</p> <p>(c) all information in the 'Sol ID' column is exempt under section 33(1); and</p> <p>(d) all information under the 'Time:Hr' and 'Amount' columns is exempt under section 34(1)(b).</p>	<p>Section 32: I am satisfied the information exempted by the Agency under the column 'professional services' is exempt under section 32(1) for the reasons outlined above in the Notice of Decision.</p> <p>Section 33(1): I am satisfied it would be unreasonable to disclose the personal affairs information in the document for the reasons outlined above in the Notice of Decision.</p> <p>Section 34(1)(b): I am satisfied the information deleted by the Agency under the 'Time:Hr' and 'Amount' columns is exempt under section 34(1)(b) for the reasons outlined above in the Notice of Decision.</p> <p>Section 25: I am not satisfied the banking details is irrelevant to the scope of the Applicant's request. As such, this information is to be released.</p> <p>I am satisfied it is practicable to provide the Applicant with an edited copy of the document with exempt information deleted in accordance with section 25.</p>

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
2.	[Date]	Invoice	1	Released in part Sections 33(1), 25	Release in part Sections 33(1), 25 The document is to be released to the Applicant with the following exempt information deleted in accordance with section 25: (a) the initials in the reference number are exempt under section 33(1); and (b) the name, signature and position title handwritten on the document is exempt under section 33(1).	Section 33(1): I am not satisfied the date and first three words that are handwritten on the document is personal affairs information for the purposes of section 33(1). For the remaining information, see comments for Document 1. Section 25: See comments for Document 1.
3.	[Date]	invoice	3	Released in part Sections 32(1), 33(1), 34(1)(b), 25	Release in part Sections 32(1), 33(1), 34(1)(b), 25 The document is to be released to the Applicant with the following exempt information deleted in accordance with section 25: (a) the initials in the reference	See comments for Document 1.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					<p>number are exempt under section 33(1);</p> <p>(b) the information exempted by the Agency under the 'professional services' column is exempt under section 32(1);</p> <p>(c) all information under the 'Sol ID' column is exempt under section 33(1); and</p> <p>(d) all information under the 'Time:Hr' and 'Amount' columns is exempt under section 34(1)(b).</p>	
4.	[Date]	invoice	12	<p>Released in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p>	<p>Release in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p> <p>The document is to be released to the Applicant with the following exempt information deleted in accordance with section 25:</p> <p>(a) the initials in the reference number are exempt under</p>	See comments for Document 1.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency’s Decision	OVIC Decision	OVIC Comments
					section 33(1); (b) the signature is exempt under section 33(1); (c) the information deleted by the Agency under the ‘professional services’ column is exempt under section 32(1); (d) all information under the ‘Sol ID’ column is exempt under section 33(1); and (e) all information under the ‘Time:Hr’ and ‘Amount’ columns is exempt under section 34(1)(b).	
5.	[Date]	Invoice	4	Released in part Sections 32(1), 33(1), 34(1)(b), 25	Release in part Sections 32(1), 33(1), 34(1)(b), 25 The document is to be released to the Applicant with the following exempt information deleted in accordance with section 25: (a) the name of the recipient of	See comments for Document 1.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					<p>the letter is exempt under section 33(1);</p> <p>(b) the initials in the reference number are exempt under section 33(1);</p> <p>(c) the signature is exempt under section 33(1);</p> <p>(d) the information deleted by the Agency under the 'professional services' column is exempt under section 32(1);</p> <p>(e) all information under the 'Sol ID' column is exempt under section 33(1); and</p> <p>(f) all information under the 'Time:Hr' and 'Amount' columns is exempt under section 34(1)(b).</p>	
6.	[Date]	Invoice	2	<p>Released in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p>	<p>Release in part</p> <p>Sections 32(1), 33(1), 34(1)(b), 25</p> <p>The document is to be released to the Applicant with the</p>	See comments for Document 1.

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					<p>following exempt information deleted in accordance with section 25:</p> <ul style="list-style-type: none"> (a) the name of the recipient of the letter is exempt under section 33(1); (b) the initials in the reference number are exempt under section 33(1); (c) the signature is exempt under section 33(1); (d) the information deleted by the Agency under the 'professional services' column is exempt under section 32(1); (e) all information under the 'Sol ID' column is exempt under section 33(1); and (f) all information under the 'Time:Hr' and 'Amount' columns is exempt under section 34(1)(b). 	
7.	[Date]	Invoice	4	Released in part	Release in part	Sections 32(1) and 33(1): See

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
				<p>Sections 32(1), 33(1), 34(1)(b), 25</p>	<p>Sections 32(1), 33(1), 34(1)(b), 25</p> <p>The document is to be released to the Applicant with the following information deleted in accordance with section 25:</p> <ul style="list-style-type: none"> (a) the name of the recipient of the letter is exempt under section 33(1); (b) the initials in the reference number are exempt under section 33(1); (c) the signature is exempt under section 33(1); (d) the information deleted by the Agency under the 'professional services' column is exempt under section 32(1); (e) all information under the 'Sol ID' column is exempt under section 33(1); (f) all information under the 'Time:Hr' and 'Amount' columns is exempt under 	<p>comments for Document 1.</p> <p>Section 34(1)(b): See comments for Document 1. In addition, I am satisfied the total hours worked and rate per hour is exempt under section 34(1)(b).</p> <p>Section 25: See comments for Document 1. I am also satisfied the link at the bottom of the document is irrelevant to the scope of the Applicant's request.</p>

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	Number of Pages	Agency's Decision	OVIC Decision	OVIC Comments
					<p>section 34(1)(b);</p> <p>(g) the information under the columns 'initials' and 'fee earner name' are exempt under section 33(1); and</p> <p>(h) information under the 'Worked Hours (total)' and 'Rate (per hour)' columns is exempt under section 34(1)(b).</p> <p>I am also satisfied the link to a survey at the bottom of the document is irrelevant to the Applicant's request and is to be deleted in accordance with section 25.</p>	