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Notice of Decision and Reasons for Decision

Applicant: 'EZ3'
Agency: National Gallery of Victoria
Exemptions considered: Sections 30(1), 34(4)(a)(ii)
Citation: 'EZ3' and National Gallery of Victoria (Freedom of Information) [2023]
VICmr 3 (20 January 2023)

FREEDOM OF INFORMATION – NGV Contemporary – donations and gifts – naming rights – draft media release – fundraising campaign – policy documents

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.

I am satisfied certain information in the documents is exempt from release under sections 30(1) and 34(4)(a)(ii). However, I have decided to release further information in the documents where I am satisfied that it is not exempt from release or irrelevant information.

Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with irrelevant and exempt information deleted in accordance with section 25, access to a document is granted in part. Where it is not practicable to do so, access to a document is refused in full.

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

A marked-up copy of the documents indicating exempt or irrelevant information in accordance with my decision has been provided to the Agency.

My reasons for decision follow.

Sven Bluemmel
Information Commissioner

20 January 2023

Reasons for Decision

Background to review

1. On 19 April 2022, the Agency announced it accepted a donation of \$100 million towards the construction of the NGV Contemporary, and in recognition of this, the NGV Contemporary would be named The Fox: NGV Contemporary (hereafter, **NGVC**).¹
2. The Applicant made a request to the Agency seeking access to the following documents:
 - The earliest dated email correspondence that mentions the possibility of providing naming rights for NGV Contemporary to donors Lindsay Fox AC and Paula Fox AO; and
 - The earliest dated email correspondence that refers to "The Fox: NGV Contemporary" and the responses to that email correspondence.
3. The Agency identified six documents falling within the terms of the Applicant's request. The Agency refused access to four documents in full, and released two documents in part, relying on the exemptions under sections 30(1), 33(1), 34(4)(a)(ii) and 36(1)(b). The Agency's decision letter sets out the reasons for its decision.

Review application

4. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
5. The Applicant indicated they do not seek access to personal affairs information. Accordingly, information the Agency exempted from release under section 33(1) is not subject to review.
6. I have examined a copy of the documents subject to review.
7. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
8. I have considered all communications and submissions received from the parties.
9. 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.
10. 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.
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'.² This involves ensuring my decision is correctly made under the FOI Act and any other applicable law in force at the time of my decision.

¹ National Gallery of Victoria, *Media Release – Fox Family pledge \$100 million towards NGV Contemporary, Australia's largest gallery of contemporary art and design* (19 April 2022), https://www.ngv.vic.gov.au/media_release/fox-family-pledge-100-million-towards-ngv-contemporary-australias-largest-gallery-of-contemporary-art-and-design/.

² *Drake v Minister for Immigration and Ethnic Affairs* (1979) 24 ALR 577 at [591].

Review of exemptions

Section 30(1) – Internal working documents

12. Section 30(1) has three requirements:

- (a) the document must disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister; and
- (b) such matter must be made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government; and
- (c) disclosure of the matter would be contrary to the public interest.

13. The exemption does not apply to purely factual material in a document.³

Do the documents disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister?

14. For the requirements of section 30(1) to be met, a document must contain matter in the nature of opinion, advice or recommendation prepared by an agency officer, or consultation or deliberation between agency officers.

15. It is not necessary for a document to be in the nature of opinion, advice or recommendation. Rather, the issue is whether release of the document would disclose matter of that nature.⁴

16. The documents contain matter in the nature of opinion, advice, and consultation and deliberation between Agency officers in relation to the donation, naming rights and fundraising strategy for the NGVC.

17. However, I am not satisfied the policy document with Document 2.1 contains matter in the nature of opinion, advice, recommendation, or consultation or deliberation between Agency officers. Rather, it records the agreed policy position of the Agency's Council of Trustees.

Were the documents made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government?

18. The term 'deliberative process' is interpreted broadly and includes any of the processes of deliberation or consideration involved in the functions of an agency, Minister or government.⁵

19. In *Re Waterford and Department of Treasury (No.2)*,⁶ the former Victorian Administrative Appeals Tribunal held:

... "deliberative processes" [is] wide enough to include any of the processes of deliberation or consideration involved in the functions of an agency... In short, ...its thinking processes — the processes of reflection, for example, upon the wisdom and expediency of a proposal, a particular decision or a course of action.

20. I am satisfied the documents were prepared in the course of, and for the purposes of, the deliberative processes involved in the Agency's approach towards fundraising.

³ Section 30(3).

⁴ *Mildenhall v Department of Education* (1998) 14 VAR 87.

⁵ *Brog v Department of Premier and Cabinet* (1989) 3 VAR 201 at [208].

⁶ [1984] AATA 67; (1984) 5 ALD 588; 1 AAR 1 at [58].

Would disclosure of the documents be contrary to the public interest?

21. In deciding if release is contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful that the object of the FOI Act is to facilitate and promote the disclosure of information.
22. In deciding whether the information exempted by the Agency would be contrary to the public interest, I have given weight to the following relevant factors:⁷
 - (a) the right of every person to gain access to documents under the FOI Act;
 - (b) the degree of sensitivity of the issues discussed in the documents and the broader context giving rise to the creation of the documents;
 - (c) the stage or a decision or status of policy development or a process being undertaken at the time the communications were made;
 - (d) whether disclosure of the documents would be likely to inhibit communications between Agency officers, essential for the agency to make an informed and well-considered decision or participate fully and properly in a process in accordance with the Agency's functions and other statutory obligations;
 - (e) whether disclosure of the documents would give merely a part explanation, rather than a complete explanation for the taking of a particular decision or the outcome of a process, which the Agency would not otherwise be able to explain upon disclosure of the documents;
 - (f) the impact of disclosing documents in draft form, including disclosure not clearly or accurately representing a final position or decision reached by the Agency at the conclusion of a decision or process; and
 - (g) the public interest in the community being better informed about the way in which the Agency carries out its functions, including its deliberative, consultative and decision-making processes and whether the underlying issues require greater public scrutiny.

Agency's submission

23. In summary, the Agency submits disclosure would be contrary to the public interest for the following reasons:
 - (a) the documents involve a high degree of sensitivity given the context in which the documents were created;
 - (b) disclosure will reveal the deliberative processes of high levels of government in relation to sensitive issues, such as determining an approach to engaging with donors and prospective donors;
 - (c) preserving confidentiality will promote full and frank advice within government;
 - (d) draft documents likely contain omissions, errors or require further refinement; and
 - (e) disclosing details of the proposed amount sought to be raised through fundraising, in circumstances where the Agency is seeking to obtain the highest amount possible, will be likely to have a cooling effect on future donations.

⁷ *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

Document 1 – internal email

24. Document 1 is an internal email thread created during the initial stages of deliberating the announcement of the donation. It includes information that was intended to be discussed further and is akin to a draft.
25. While the information was intended for deliberation and, on the information before me, was subject to further refinement, the nature of the information is not sensitive or contentious, and disclosure is unlikely to have a detrimental impact on the Agency, in terms of its fundraising aims or scrutiny towards its officers. I also do not consider disclosure in this instance will be likely to inhibit similar documents being created in future.
26. Accordingly, I am not satisfied the document is exempt from release under section 30(1).
27. The document also contains an imbedded document that was not identified by the Agency as part of its decision on the Applicant's request. The Agency provided an explanation why the original version of that document is no longer accessible. However, the Agency used the Version History function to attempt to restore what it believes is likely to be the version of the document as at the time the email was sent. The content in the embedded attachment is a duplicate of certain information in the email. I am satisfied the document forms part of this review and it is also not exempt from release under section 30(1) for the reasons set out above.

Documents 2 and 3 – draft emails

28. Document 2 is a draft email intended to be sent to another Agency in relation to the donation, one sentence of which was exempted from release under section 30(1).
29. Document 3 is a related email that the Agency exempted from release in full under section 30(1).
30. I am not satisfied disclosure would be contrary to the public interest for the following reasons:
 - (a) while it is evident on the face of each document that they are drafts, and by their nature may contain errors or omissions, or may have been subject to further refinement, this in itself does not amount to disclosure being contrary to the public interest;
 - (b) the exempted sentence in Document 2 is not contentious, controversial or sensitive in any respect;
 - (d) the documents do not contain information that would be likely to deter persons from making donations in future;
 - (e) disclosure is unlikely to inhibit Agency officers from making similar communications in future; and
 - (f) in the case of Document 3, exempted information has already been released to the Applicant.
31. Accordingly, Documents 2 and 3 are not exempt from release under section 30(1).

Document 2.1 – NGV Contemporary Fundraising Campaign and Naming Rights and policy document

32. With respect to the first page of Document 2.1, I am not satisfied it would be contrary to the public interest to disclose the fundraising target which, in any event, is in the public domain.
33. With respect to the information under the heading 'naming rights & recognition' on the first page, I am not satisfied disclosure would be contrary to the public interest because it provides contextual

information with respect to naming rights in contrast with strategic information about how the Agency seeks to reach its funding target.

34. The second and third pages of Document 2.1 sets out strategic information in relation to how the Agency intends to attract potential donors with respect to naming rights.
35. In determining whether disclosure would be contrary to the public interest, there are factors weighing both in favour of and against disclosure. However, on careful consideration of these factors, I am satisfied disclosure would be contrary to the public interest for the following reasons:
- (a) I accept the Agency is reliant on obtaining donations to fund projects such as the NGVC and is still seeking funding for the NGVC;
 - (b) disclosure of this information could compromise the Agency's ongoing ability to attract donors;
 - (c) it would be contrary to the public interest to deter philanthropists from making donations;
 - (d) I accept the Agency is in competition with other entities in attracting donors; and
 - (e) disclosure could harm future negotiations with potential donors.
36. As noted above, the remainder of Document 2.1, containing a policy, is not exempt under section 30(1) as it does not meet the first limb of the exemption. In any case, I am not satisfied it would be contrary to the public interest to disclose a policy that was approved by the Council of Trustees.

Document 2.2 – Draft media release

37. Having compared the draft media release with the version published on the Agency's website,⁸ I am satisfied it would be contrary to the public interest to disclose the draft media release because:
- (a) it includes suggested quotes from individuals that either were not included in the published media release or were substantially amended for the published version;
 - (a) it does not represent the final position of the Agency; and
 - (b) there is no underlying issue within the draft documents that requires greater public scrutiny.
38. As such, I am satisfied it is exempt from release under section 30(1).

Document 2.3 – Event running sheet

39. This is an event running sheet for the announcement of the donation.
40. The Agency submits it is a draft document prepared by an Agency officer for consultation with other public servants.
41. I am not satisfied disclosure would be contrary to the public interest because:
- (a) the nature of the information is not contentious, controversial or sensitive in any respect;
 - (b) while there is potential that the event did not run according to this iteration of the running sheet, disclosure is unlikely to subject the Agency to any detriment; and

⁸ National Gallery of Victoria, *Fox Family pledge \$100 million towards NGV Contemporary, Australia's largest gallery of contemporary art and design* (19 April 2022), available at https://www.ngv.vic.gov.au/wp-content/uploads/2022/07/NGV-MR-Philanthropy-Announcement-2022_FINAL.pdf.

(c) disclosure will not inhibit similar documents being produced in future.

42. Accordingly, I am not satisfied it is exempt from release under section 30(1).

43. The Schedule of Documents in **Annexure 1** sets out my decision on section 30(1) for each document.

Section 34(4)(a)(ii) – Information that would expose the Agency unreasonably to disadvantage

44. Section 34(4)(a)(ii) provides a document is an exempt document if it contains, ‘in the case of an agency engaged in trade or commerce, information of a business, commercial or financial nature that would if disclosed under this Act be likely to expose the agency unreasonably to disadvantage’. A document is exempt under section 34(4)(a)(ii) if:

(a) the agency is engaged in trade or commerce;

(a) the document contains information of a business, commercial or financial nature; and

(b) disclosure of which would be likely to expose the agency unreasonably to disadvantage.

45. This exemption has been applied to information in Document 2.1.

Is the Agency engaged in trade and commerce?

46. Whether an agency is engaged in trade or commerce depends on the facts and circumstances of each case.⁹

47. The Victorian Civil and Administrative Tribunal (**VCAT**) has held ‘the terms ‘trade’ and ‘commerce’ are not words of art; rather they are expressions of fact and terms of common knowledge’.¹⁰ VCAT has adopted the view of the Federal Court of Australia that these terms are ‘of the widest import’.¹¹ An agency may be regarded as being engaged in trade or commerce, even if the amount of trade or commerce engaged in is insignificant and incidental to the agency’s other functions.¹²

48. Further, an agency may be engaged in trade or commerce, even if profit is not one of its express statutory objectives.¹³

49. While the phrase ‘trade and commerce’ may be interpreted broadly,¹⁴ it has been held trade and commerce must ‘of their nature, bear a trading or commercial character’.¹⁵

50. The fact an agency’s predominant activities may be described as ‘governmental’ does not preclude it from relying on the exemption under section 34(4)(a)(ii).¹⁶

51. The Agency submits:

Among its statutory functions, the NGV is required to:

- manage, promote and develop the NGV;
- develop and promote the State collection of works of art; and

⁹ *Stewart v Department of Tourism, Sport and the Commonwealth Games* [2003] VCAT 45 at [41].

¹⁰ *Gibson v Latrobe CC* [2008] VCAT 1340 at [33], citing *Re Ku-Ring-Gai Co-operative Building Society (No 12) Ltd* (1978) 36 FLR 134.

¹¹ *Ibid* at [34].

¹² *Marple v Department of Agriculture* (1995) 9 VAR 29 at [47].

¹³ *Thwaites v Metropolitan Ambulance Services* (1996) 9 VAR at [473].

¹⁴ *Re Ku-Ring-Gai Co-operative Building Society (No 12) Ltd* [1978] FCA 50; (1978) 36 FLR 134.

¹⁵ *Gibson v Latrobe City Council* [2008] VCAT 1340 at [35], citing *Concrete Constructions (NSW) Pty Ltd v Nelson* [1990] HCA 17; (1990) 169 CLR 594 at 604.

¹⁶ *Stewart v Department of Tourism, Sport and the Commonwealth Games* (2003) 19 VAR 363; [2003] VCAT 45 at [41]; *Fyfe v Department of Primary Industries* [2010] VCAT 240 at [23].

- conduct public programs and exhibitions of material within the State collection.

It does this through its work engaging with philanthropic individuals and families to seek significant donations.

Similar to the examples above, the NGV is engaged in trade and commerce through the work it engages in to try to achieve financial and commercial success, through promoting the NGV and financially and commercially managing the NGV, one aspect of which is through identifying a way to acknowledge significant donations through naming rights. Information about the types of recognition and size of donation that would lead to that type of recognition is described in Document 2.1.

52. I accept the Agency is engaged in trade and commerce in the context of the matters that are dealt with in the documents subject to review.

Do the documents contain information of a business, commercial or financial nature?

53. 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.¹⁷
54. VCAT has accepted matters relating to sponsorship rights, marketing and fundraising are matters of a business, commercial or financial nature.¹⁸
55. The Agency submits the information relates to a business, commercial or financial nature as it would reveal the range of financial contributions being sought by the Agency, the terms by which the Agency is willing to accept payment, and the types of acknowledgment the Agency intends to offer in recognition of that financial contribution.
56. I am satisfied certain information is of a business, commercial or financial nature.
57. However, I am not satisfied the policy document within Document 2.1 contains matter of a business, commercial or financial nature. Rather it is a policy position.

Would disclosure be likely to expose the Agency unreasonably to disadvantage?

58. Whether disclosure is likely to expose an Agency unreasonably to disadvantage depends on the particular facts and circumstances of the matter, considering the consequences that likely to follow from disclosure of the information.
59. The provision contemplates that disclosure of a document under the FOI Act may expose the agency to a certain measure of disadvantage, and that any such exposure must be unreasonable.
60. In the context of section 34(4)(a)(ii), 'disadvantage' has been interpreted to be in the nature of an agency engaged in trade and commerce being exposed to commercial or competitive disadvantage. For example, in *Accident Compensation Commission v Croom* [1991] 2 VR 322, O'Bryan J states:

In my opinion, the word "disadvantage" in the context of trade or commerce and information of a business, commercial financial nature means injury of a financial kind.¹⁹

61. Whether disadvantage is 'unreasonable' depends on the particular facts and circumstances of a matter and involves a balancing exercise. Unlike section 34(1)(b) in conjunction with section 34(2), there is no

¹⁷ *Gibson v Latrobe CC (General)* [2008] VCAT 1340 at [25].

¹⁸ *Stewart v Department of Tourism, Sport and the Commonwealth Games* [2003] VCAT 45 at [42].

¹⁹ at [331].

list of factors to be considered in relation to section 34(4)(a)(ii). However, VCAT has taken the following factors into consideration:²⁰

- (a) the nature of the information;
- (b) the circumstances in which the information was obtained;
- (c) the likelihood that concerned persons would not wish the information to be disclosed without consent; and
- (d) the current relevance and sensitivity of the information.

62. The Agency submits disclosure will have a severe detrimental impact on its ability to raise donations for the NGVC in the following ways:

- (a) philanthropists considering donating to the Agency would be likely to consider that it has almost achieved a target financial contribution specified in the document then there is no further need for their philanthropy;
- (b) media speculation on the progress of the Agency's fundraising campaign against a publicised fundraising target, and any changes to that target, can undermine the confidence of philanthropists in the project as shown by experience of other galleries and museums;
- (c) release of the Agency's fundraising strategy would undermine the personal and emotional connection that the Agency has cultivated for years with its donors, and which underpins many donors' and philanthropists' decisions to donate and support the Agency;
- (d) reduce the prestige that the Agency has developed in recognition of significant donations; and
- (e) reveal the terms on which the Agency engages with donors which may impact on future and current donations, noting there is a limited range of donors with interest and funding to make significant donations.

63. I am not satisfied disclosure of the fundraising target will be likely to expose the Agency unreasonably to disadvantage as it is already in the public domain.

64. Pages 2 and 3 of Document 2.1 contains details of the Agency's fundraising strategy. I am satisfied disclosure will be likely to harm future negotiations with donors and the ability to attract potential donors.

65. I am not satisfied disclosure of the information exempted under section 34(4)(a)(ii) in the policy document within Document 2.1 will be likely to expose the Agency unreasonably to disadvantage because it sets out principles, as opposed to a strategy, and reflects an agreed outcome. In my view, disclosure of a policy is unlikely to expose the Agency to unreasonable disadvantage with respect to its ability to attract donations.

66. Accordingly, I am satisfied certain information in Document 2.1 is exempt from release under section 34(4)(a)(ii). My decision is set out in the Schedule of Documents in **Annexure 1**.

Other exemptions

67. As the Applicant does not seek access to personal affairs information, I have not considered the application of section 33(1).

²⁰ *Gibson v Latrobe City Council (general)* [2008] VCAT 1340 at [41], citing *Byrne v Swan Hill Rural City Council* (2000) 16 VAR 366 at 372-3 and *Page v Metropolitan Transit Authority* (1988) 2 VAR 243 at 246.

68. As I am satisfied page 2 of Document 2.1 is exempt from release under sections 30(1) and 34(4)(a)(ii), I have not considered the application of section 36(1)(b) to the same information.

Section 25 – Deletion of exempt or irrelevant information

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

70. 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

71. As the Applicant does not seek review of the personal affairs information exempted from release under section 33(1), that information is to remain deleted from the documents in accordance with section 25 as it is irrelevant information for the purposes of this review.

72. I have considered the effect of deleting irrelevant and exempt information from the documents. In my view, it is practicable for the Agency to delete the irrelevant and exempt information from most of the documents, because it would not require substantial time and effort, and the edited documents would retain meaning. Where it is not practicable to do so, as it would render a document meaningless, access is refused in full.

Conclusion

73. On the information before me, I am satisfied certain information in the documents is exempt from release under sections 30(1) and 34(4)(a)(ii). However, I have decided to release further information where I am satisfied that it is not exempt from release or irrelevant information.

74. Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with irrelevant and exempt information deleted in accordance with section 25, access to a document is granted in part. Where it is not practicable to do so, access to a document is refused in full.

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

76. A marked-up copy of the documents indicating exempt or irrelevant information in accordance with my decision has been provided to the Agency.

Review rights

77. 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

78. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.²⁴

79. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.²⁵

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], [155].

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

²⁴ Section 52(5).

²⁵ Section 52(9).

80. 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.
81. 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

When this decision takes effect

82. 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.

²⁶ Sections 50(3F) and 50(3FA).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
1.	[date]	Email	2	<p>Refused in full Sections 30(1), 33(1)</p>	<p>Release in part Section 25</p> <p>The document is to be released in accordance with the marked-up version provided to the Agency with this decision.</p> <p>The embedded attachment is to be marked-up in accordance with the marking up of the same text in the email itself.</p>	<p>Section 30(1): I am not satisfied this document is exempt from release under section 30(1) for the reasons provided in the Notice of Decision, above.</p> <p>Section 25: As the Applicant does not seek review of personal affairs information exempted by the Agency under section 33(1), this information is irrelevant for the purposes of my review and is to be deleted in accordance with section 25.</p> <p>I am satisfied it is practicable to provide the Applicant with an edited copy of the document with irrelevant information deleted in accordance with section 25.</p>
2.	[date]	Email	1	<p>Released in part Sections 30(1), 33(1)</p>	<p>Release in part Section 25</p> <p>The document is to be released in accordance with the marked-up version provided to the Agency with this decision.</p>	<p>Section 30(1) and 25: See comments for Document 1.</p>
2.1	Undated	NGV Contemporary Fundraising	5	<p>Released in part</p>	<p>Release in part</p>	<p>Sections 30(1) and 34(4)(a)(ii): I am satisfied certain information is exempt</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
		Campaign and Naming Rights and policy document		Sections 30(1), 34(4)(a)(ii), 36(1)(b)	Sections 30(1), 34(1)(a)(ii), 25 The document is to be released in accordance with the marked-up version provided to the Agency with this decision.	from release under these sections of the FOI Act for the reasons provided in the Notice of Decision, above. Section 25: I am satisfied it is practicable to provide the Applicant with an edited copy of this document with exempt and irrelevant information deleted in accordance with section 25.
2.2	Undated	Media Release	3	Refused in full Sections 30(1), 33(1)	Refuse in full Section 30(1)	Section 30(1): I am satisfied this document is exempt in full under section 30(1) for the reasons provided in the Notice of Decision, above. Section 25: While there is a small amount of information that is also in the published media release that is not exempt under section 30(1), I consider it is not practicable to edit the document to delete the remaining exempt and irrelevant information, as the remaining information will not retain sufficient meaning for the Applicant.
2.3	[date]	Event running sheet	3	Refused in full Sections 30(1), 33(1)	Release in part Section 25 The document is to be released in accordance with the marked-up	Sections 30(1) and 25: See comments for Document 1.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	OVIC Decision	OVIC Comments
					version provided to the Agency with this decision.	
3.	[date]	Email thread	1	Refused in full Sections 30(1), 33(1)	Release in part Section 25 The document is to be released in accordance with the marked-up version provided to the Agency with this decision.	Sections 30(1) and 25: See comments for Document 1.