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20 April 2017

Mr B Buckley

By email: convenor@a4.org.au

Dear Mr Buckley

Notification of Third Party Consultation
Our reference: FOI 16.17-050

I refer to your correspondence dated 23 March 2017, received by the National Disability Insurance Agency (**Agency**) on 23 March 2017, requesting access under the *Freedom of Information Act 1982* (**FOI Act**) to the following documents:

"All information and documents that describe or relate to "collaborative work" between the NDIA and AEIOU being conducted in Townsville related to early intervention and the NDIS."

Third Party Consultation

Business or commercial information

Your request covers documents which contain information about the business affairs of an organisation, a person's business or professional affairs.

Under section 27 of the FOI Act where a request is made for a document containing information about the business affairs of an organisation, a person's business or professional affairs and it appears to the Agency that the organisation or person might reasonably wish to contend that the information is:

- o exempt under section 47 of the FOI Act; or
- o conditionally exempt under section 47G of the FOI Act and giving access to the document would, on balance, be contrary to the public interest;

the Agency must give the organisation or person a reasonable opportunity to make such a submission in support of the contention.

Section 27 of the FOI Act also requires the Agency to have regard to any such submission before making a decision on access to the document.

Personal information

Your request also covers documents which contain personal information about an individual other than you.

Under section 27A of the FOI Act, if it appears to the Agency that the individual might wish to contend that the documents are conditionally exempt under section 47F of the FOI Act and access to the documents would, on balance, be contrary to the public interest, the Agency must give the individual a reasonable opportunity to make such a submission in support of the contention.

Section 27A also requires the Agency to have regard to any such submission before making a decision on access to the document.

Timing for consultation with third parties

Given that consultation with third parties is required, subsection 15(6) of the FOI Act extends the standard statutory by a further 30 days. Accordingly, the Agency has 60 days from the date of receiving your request to notify you of its decision on access to the documents.

Consent to disclose personal information in consultation process

We acknowledge the requirements under the FOI Act to maintain confidentiality of your and the Autism Aspergers Advocacy Australia (A4)'s identity in processing the FOI request. However, to assist the Agency in conducting third party consultations, we seek your consent to disclose to the relevant third parties A4's identity as the applicant.

If you choose to consent to the disclosure A4's identity as the applicant to third parties, please confirm in writing to me by replying to the covering email by **Monday, 24 April 2017**.

If you choose not to consent to this disclosure, the Agency will not be able to identify A4 to the relevant third parties. This may affect the responses given by third parties.

If you have any questions about this matter, please do not hesitate to contact me on 03 5272 7507. Alternatively, you may contact us via email at foi@ndis.gov.au.

Yours sincerely,



Ben Cheever
Lawyer
Legal Branch
National Disability Insurance Agency