FOI Ref No: <<Reference\_Number>>

<<Current\_Date>>

# Insert name & address details of person or business

# you are consulting with

Dear *Insert name*

This Agency has received an application under the *Freedom of Information Act 1991* (the FOI Act) for documents concerning <<Application\_Summary>>.

The attached document falls within the scope of this application and contains information concerning your *personal affairs/business affairs/conduct of research*.

Section *26/27/28* of the FOI Act provides that before the applicant can be given access to the document, this agency must first take reasonable steps to obtain your views as to whether or not you believe the document is exempt by virtue of clause *6/7/8* of Schedule 1 to the FOI Act. An ‘exempt document’ means a document that the agency may determine not to release to the applicant. A copy of section *26/27/28* and clause *6/7/8* is attached.

If you believe the document is exempt, you must outline your reasons why by addressing the terms of clause *6/7/8*. It is not enough to simply assert that the document is exempt or to merely repeat the words of clause *6/7/8* - you need to explain *why*, in your view, the document is exempt. Enclosed with this letter is a Consultation Response Proforma that you can use to respond to this letter and post or fax it back to this agency.

Please note that although it is a legislative requirement that this agency consults with you and seeks your views, the agency must make an independent determination as to whether the document is exempt. If you believe the document is exempt but this agency disagrees and determines to provide access to the applicant, you will be notified and given an opportunity to seek a review of *(or appeal – if applicable)* this agency’s determination.

*Include this paragraph if this is related to a non-personal application.*

In accordance with Premier and Cabinet Circular PC045, if the FOI applicant is given access to documents, details of the FOI application, and the documents to which access is given, may be published in the agency’s disclosure log. A copy of PC045 can be found at <https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>.

Please provide your response by *insert date*as the FOI Act requires me to make a determination on the FOI application within 30 (calendar) days. If you are unable to reply by this date, or you require further information about this matter, please contact me on <<FOI\_Phone>> or <<FOI\_Email>>.

Yours sincerely

Mr/Ms <<FOI\_Given\_Name>> <<FOI\_Surname>>

**Accredited FOI Officer**

<<FOI\_Agency>>

Encl: Copy of document

Section *26/27/28* and clause *6/7/8*

Consultation Response Proforma