



DEFENCE FOI 167/24/25

STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT 1982

1. I refer to the request by [REDACTED] (the applicant), dated and received on 29 August 2024 by the Department of Defence (Defence), for access to the following documents under the *Freedom of Information Act 1982* (Cth) (FOI Act):

Documents provided to the offices of the minister for defence and the minister for defence industry relating to the prosecution by the U.S. Securities and Exchange Commission of Austal in relation to costs of its Littoral Combat Ships construction.

Timeframe: 01/07/2022 - 29/08/2024.

FOI decision maker

4. I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

5. I have identified three documents as falling within the scope of the request.

Exclusions

6. Mobile telephone numbers and duplicate documents are excluded from this request. Defence has only considered final versions of documents.

Decision

7. I have decided to:
 - a. partially release three documents in accordance with section 22 [access to edited copies with exempt or irrelevant matter deleted] of the FOI Act; and
 - b. remove irrelevant material in accordance with section 22 of the FOI Act.

Material taken into account

8. In making my decision, I have had regard to:
- a. the terms of the request;
 - b. the content of the identified documents in issue;
 - c. relevant provisions of the FOI Act; and
 - d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).

REASONS FOR DECISION**Section 22 – Access to edited copies with exempt or irrelevant matter deleted**

9. Section 22 of the FOI Act permits an agency to prepare and provide an edited copy of a document where the agency has decided to refuse access to an exempt document or that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access.
10. The documents contain exempt material and irrelevant information such as mobile phone numbers and other information that does not relate to the request.
11. Where whole pages are considered irrelevant to the scope of the request, these pages have been removed from the released document pack.
12. I am satisfied that it is reasonably practicable to remove the exempt and irrelevant material and release the documents to you in an edited form.

FURTHER INFORMATION

13. Some of the documents matching the scope of this request contained a dissemination limiting marker (DLM). Where documents have been approved for public release, the DLM has been struck through.

Digitally signed by

Date: 2024.12.10
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Accredited Decision Maker
Capability Acquisition and Sustainment Group
Department of Defence