

Taljaard, Angela

From: Pavey, Catherine <catherine.pavey@acc.gov.au>
Sent: Monday, 15 June 2020 10:53 AM
To: Erwood, Simon; FOI
Cc: Ghali, Rob
Subject: RE: Request for statistics – FOI Request by TWU [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID2065691]
Attachments: Urgent response on behalf of TWU member Frank Black (Arcidiaco) (1.14 MB); RE: Request for statistics – FOI Request by TWU [SEC=OFFICIAL....FID2065691] (100 KB)

Morning Simon

FOI: to supplement the questionnaire I sent last week, today I received an email and letter from the TWU.

Kind regards
Catherine

Catherine Pavey

Director | Cartels Branch | Specialised Enforcement and Advocacy Division
Australian Competition & Consumer Commission
Level 20 | 175 Pitt Street Sydney 2000
T: +61 2 9230 9170
www.accc.gov.au

The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community
We pay our respects to them and their cultures; and to their Elders past, present and future.

From: Erwood, Simon <simon.erwood@acc.gov.au>
Sent: Tuesday, 9 June 2020 2:23 PM
To: Pavey, Catherine <catherine.pavey@acc.gov.au>; Ghali, Rob <rob.ghali@acc.gov.au>
Cc: FOI <Freedomof.Information@acc.gov.au>
Subject: FW: Request for statistics – FOI Request by TWU [SEC=OFFICIAL]

OFFICIAL

Hi Catherine, sending this email on as it may have relevance for your branch.

FOI, fyi.

Thanks

Released under FOI

Simon Erwood

Director | Intelligence
Competition, Intelligence and Commercial Construction | Specialised Enforcement & Advocacy Division
Australian Competition and Consumer Commission
23 Marcus Clarke Street Canberra 2601 | <http://www.accc.gov.au>

T: +61 2 6243 1113
Simon.erwood@acc.gov.au

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From: FOI <Freedomof.Information@acc.gov.au>
Sent: Friday, 5 June 2020 14:01
To: Infocentre Team Leaders <InfocentreTeamLeaders@acc.gov.au>; Neilan, Ron <ron.neilan@acc.gov.au>; [REDACTED]@acc.gov.au; Inwood, Fraser <fraser.inwood@acc.gov.au>; Erwood, Simon <simon.erwood@acc.gov.au>
Cc: Grimwade, Timothy <timothy.grimwade@acc.gov.au>; Deano, Sharon <sharon.deano@acc.gov.au>; Leuner, Tom <tom.leuner@acc.gov.au>; Schroder, Matthew <matthew.schroder@acc.gov.au>; Lin, Jane <jane.lin@acc.gov.au>
Subject: Request for statistics – FOI Request by TWU [SEC=OFFICIAL]

OFFICIAL

Good afternoon

URGENT

Your urgent assistance is required by **12pm on Friday 12 June 2020** to comply with statutory timeframes and determine whether the ACCC can process the below FOI request.

Instructions

- Please nominate one person to answer the questions below on behalf of your branch.
- Fill in the table and forward it to us.
- **DO NOT** attach the actual documents within scope to your response.
- Links to further information and guidance are within the table and below.
- If you have any queries or need a short extension of time to respond, please contact me on x3052.

APPLICANT: Transport Workers' Union
DUE DATE FOR YOUR RESPONSE TO FOI UNIT: 12/6/20
SCOPE <i>'The documents I am seeking relate to any communication between the ACCC and the Australian Trucking Association for the period between 1 June 2019 to 2 June 2020. This documentation should include and relate to any emails, letters, meetings, schedules or diary entries of meetings, phone calls, schedules or diary entries of phone calls or any other documentation confirming contact or communication between the ACCC and the Australian Trucking Association and anyone representing the two organisations.'</i> Date request received: 2/6/20

Released under FOI

Statutory timeframe expires on: 2/7/20	
Question	Response
<p>Do you hold any documents likely to be within the scope of this request and what searches did you carry out to come to this conclusion?</p> <p>How to search No documents Is the document within the scope of the request? What if key staff who may hold documents are on leave or have left the ACCC? Documents are locked down in DORIS Can't find documents Can I just send the DORIS links or paper files so that you can work it out? Do I need to send the documents now?</p> <p>On completion of this question: If yes, continue to the next question. If no, please return this form to the FOI Team</p>	<p>YES/NO [delete whichever not applicable]</p> <p>Searches undertaken: <i>Please provide a list of searches (including search terms) to support your above answer</i></p>
<p>Approximately how many documents do you hold? An email and its attachments are considered one document. Please advise if there is likely to be duplicates.</p> <p>Lots of documents Sampling</p>	X documents
<p>Approximately how many pages in total are covered by the request?</p> <p>Sampling</p>	X pages
<p>Approximately how many third parties will need to be consulted?</p> <p>Please name the third parties. What is a third party?</p>	X third parties
<p>Is there any sensitivity in providing the number of third parties to the applicant? <i>i.e. could the applicant easily identify the third parties based on the number of third parties that we refer to in our letters</i></p>	YES/NO [delete whichever not applicable]
<p>Approximately how much time will it take to examine and copy the documents to determine whether they are relevant to the scope of the request?</p>	X hours
<p>Is any of the material public? Publicly available material</p>	YES/NO [delete whichever not applicable]

Released under FOI

Are any of the documents in a foreign language? No: Proceed to next question. Yes: How many documents are in a foreign language? Have they been translated?	YES/NO [delete whichever not applicable]
Are there any contracted service providers (such as external law firms, IT providers) or other third parties who may hold additional relevant documents? If yes, please provide contact details.	YES/NO [delete whichever not applicable]
Is there any further sensitivity in releasing your responses to this table? If yes, please provide details. Concerns about documents being released	YES/NO [delete whichever not applicable]
Are you aware of any other branches likely to hold documents within the scope of this request? If yes, please advise which branch.	YES/NO [delete whichever not applicable]

The following links provide additional guidance:

Timeframes

Disclosure outside of FOI

Third party consultation process

Charges

What to do when you are asked to provide the documents

Otherwise, please contact me on **x3052** if you have any questions.

Regards


Sonya Petreski

FOI Officer | Corporate Law Unit, Legal Group

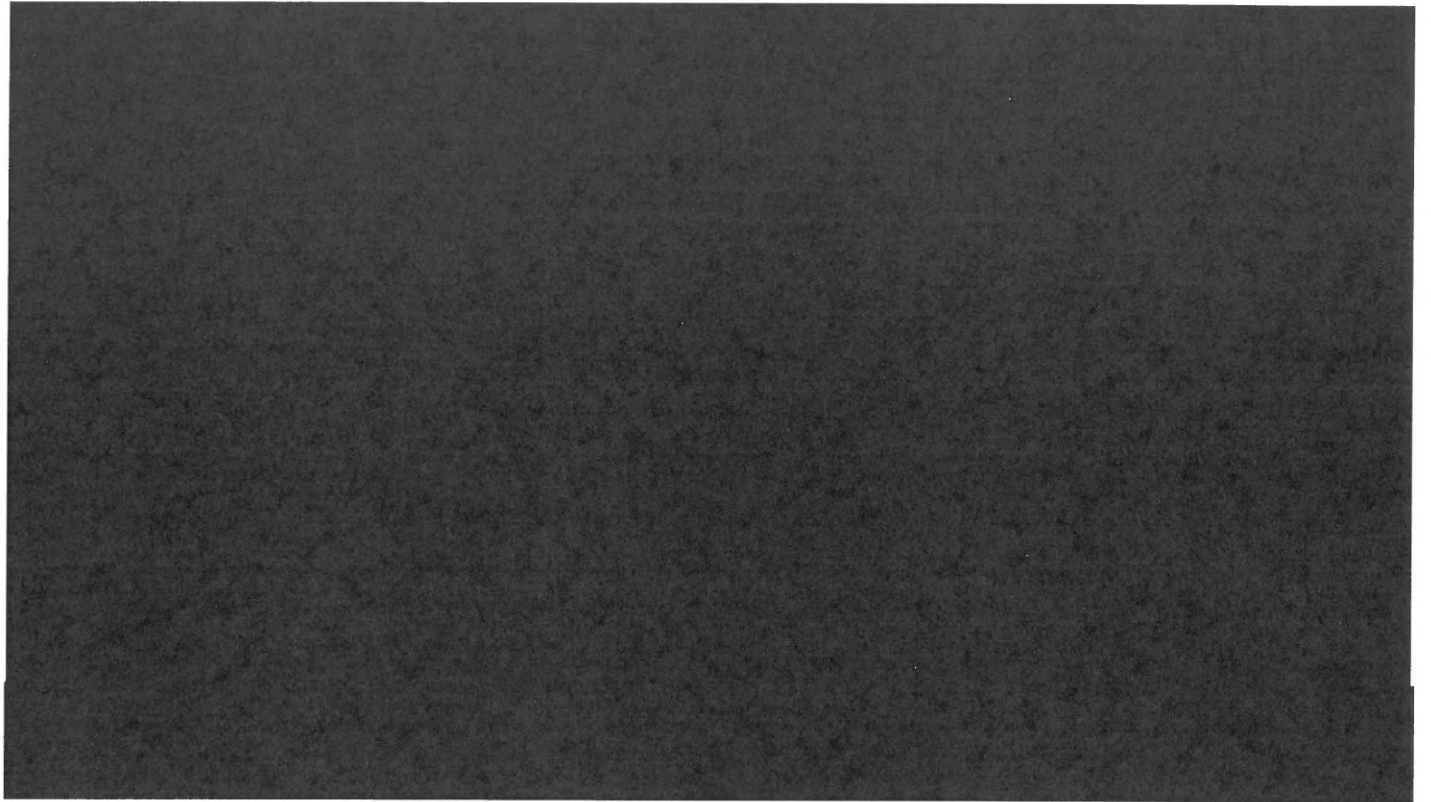
Australian Competition & Consumer Commission

Level 2 | 23 Marcus Clarke Street Canberra 2601 | <http://www.foi@acc.gov.au>

T: +61 2 6243 1244 | F: +61 2 6243 1210

 Please consider the environment before printing this email

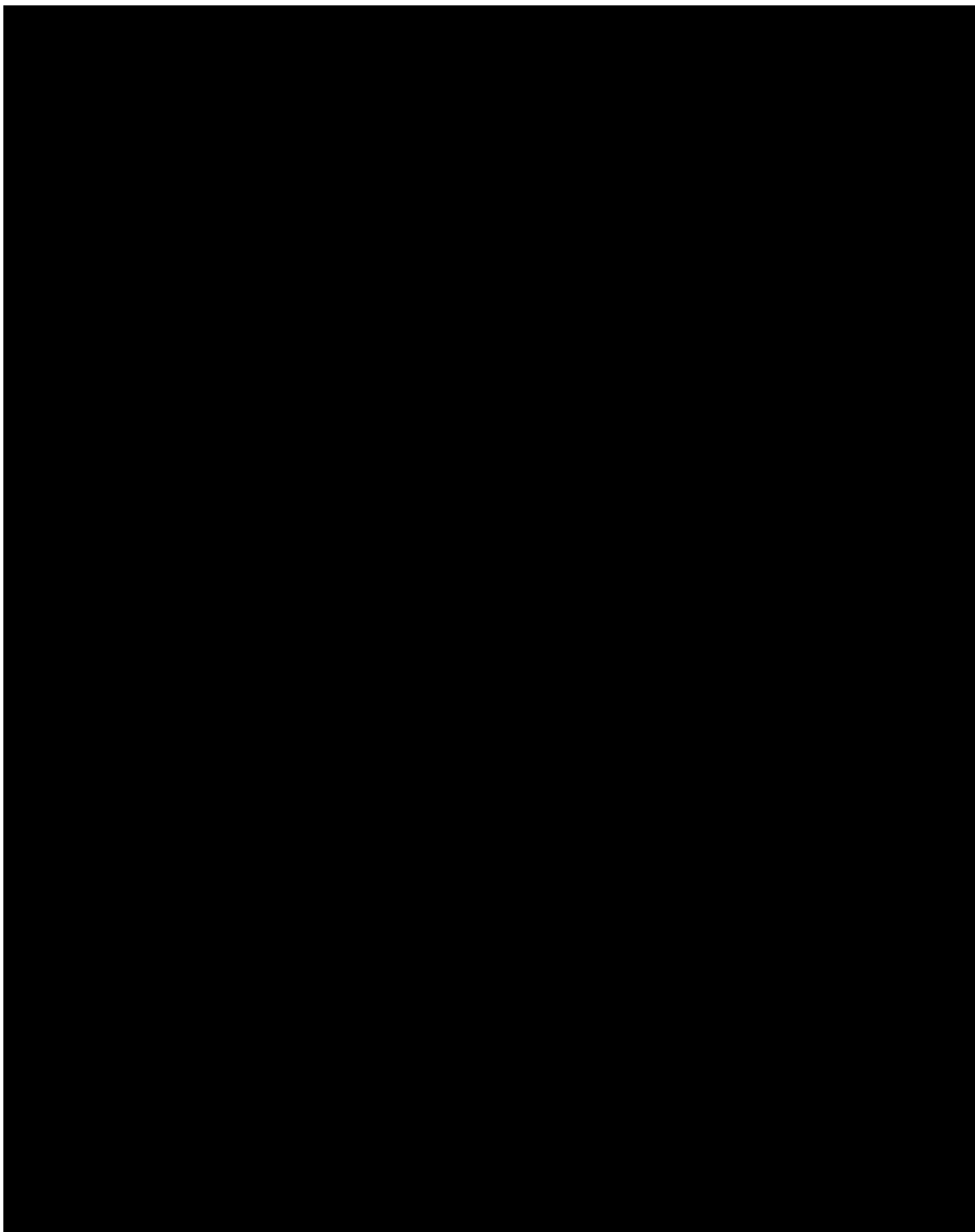
Released under FOI



Released under FOI



Released under FOI



Released under FOI



Taljaard, Angela

From: Pavey, Catherine <catherine.pavey@acc.gov.au>
Sent: Thursday, 11 June 2020 5:16 PM
To: FOI
Cc: Taljaard, Angela; Ghali, Rob
Subject: RE: Request for statistics – FOI Request by TWU [SEC=OFFICIAL] [ACCC-ACCCANDAER.FID2065691]

Dear FOI team

Please see the response in the questionnaire below from the Cartels Branch. [REDACTED]

Please contact me with any queries,

Thanks
Catherine

Catherine Pavey
Director | Cartels Branch | Specialised Enforcement and Advocacy Division
Australian Competition & Consumer Commission
Level 20 | 175 Pitt Street Sydney 2000
T: +61 2 9230 9170
www.accc.gov.au<<http://www.accc.gov.au>>

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From: Erwood, Simon <simon.erwood@acc.gov.au<<mailto:simon.erwood@acc.gov.au>>>
Sent: Tuesday, 9 June 2020 2:23 PM
To: Pavey, Catherine <catherine.pavey@acc.gov.au<<mailto:catherine.pavey@acc.gov.au>>>; Ghali, Rob <rob.ghali@acc.gov.au<<mailto:rob.ghali@acc.gov.au>>>
Cc: FOI <Freedomof.Information@acc.gov.au<<mailto:Freedomof.Information@acc.gov.au>>>
Subject: FW: Request for statistics – FOI Request by TWU [SEC=OFFICIAL]

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Competition, Intelligence and Commercial Construction | Specialised Enforcement & Advocacy Division
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T: +61 2 6243 1113
Simon.erwood@acc.gov.au<<mailto:Simon.erwood@acc.gov.au>>

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From: FOI <Freedomof.Information@acc.gov.au<mailto:Freedomof.Information@acc.gov.au>>
Sent: Friday, 5 June 2020 14:01
To: Infocentre Team Leaders
<InfocentreTeamLeaders@acc.gov.au<mailto:InfocentreTeamLeaders@acc.gov.au>>; Neilan, Ron
<ron.neilan@acc.gov.au<mailto:ron.neilan@acc.gov.au>>; [REDACTED]
[REDACTED]@acc.gov.au>>; Inwood, Fraser
<fraser.inwood@acc.gov.au<mailto:fraser.inwood@acc.gov.au>>; Erwood, Simon
<simon.erwood@acc.gov.au<mailto:simon.erwood@acc.gov.au>>
Cc: Grimwade, Timothy <timothy.grimwade@acc.gov.au<mailto:timothy.grimwade@acc.gov.au>>; Deano, Sharon
<sharon.deano@acc.gov.au<mailto:sharon.deano@acc.gov.au>>; Leuner, Tom
<tom.leuner@acc.gov.au<mailto:tom.leuner@acc.gov.au>>; Schroder, Matthew
<matthew.schroder@acc.gov.au<mailto:matthew.schroder@acc.gov.au>>; Lin, Jane
<jane.lin@acc.gov.au<mailto:jane.lin@acc.gov.au>>
Subject: Request for statistics – FOI Request by TWU [SEC=OFFICIAL]

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Good afternoon
URGENT

Your urgent assistance is required by 12pm on Friday 12 June 2020 to comply with statutory timeframes and determine whether the ACCC can process the below FOI request.

Instructions

- * Please nominate one person to answer the questions below on behalf of your branch.
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- * DO NOT attach the actual documents within scope to your response.
- * Links to further information and guidance are within the table and below.
- * If you have any queries or need a short extension of time to respond, please contact me on x3052.

APPLICANT: Transport Workers' Union

DUE DATE FOR YOUR RESPONSE TO FOI UNIT: 12/6/20

SCOPE

'The documents I am seeking relate to any communication between the ACCC and the Australian Trucking Association for the period between 1 June 2019 to 2 June 2020. This documentation should include and relate to any emails, letters, meetings, schedules or diary entries of meetings, phone calls, schedules or diary entries of phone calls or any other documentation confirming contact or communication between the ACCC and the Australian Trucking Association and anyone representing the two organisations.'

Date request received: 2/6/20

Statutory timeframe expires on: 2/7/20

Question

Response

Released under FOI

Do you hold any documents likely to be within the scope of this request and what searches did you carry out to come to this conclusion?

How to search<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling#conducting-an-nbsp-foi-document-search>>

No documents<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-there-are-no-documents->>

Is the document within the scope of the request?<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#how-do-you-know-if-a-document-is-within-the-scope-of-the-request->>

What if key staff who may hold documents are on leave or have left the ACCC?<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-key-staff-who-may-hold-documents-are-on-leave-or-have-left-the-accc->>

Documents are locked down in DORIS<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-documents-are-locked-down-in-doris->>

Can't find documents<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-you-can-t-find-documents->>

Can I just send the DORIS links or paper files so that you can work it out?<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#can-i-just-send-the-doris-links-or-paper-files-for-the-foi-team-to-work-out->>

Do I need to send the documents now?<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#do-i-need-to-send-the-documents-now->>

On completion of this question:

If yes, continue to the next question.

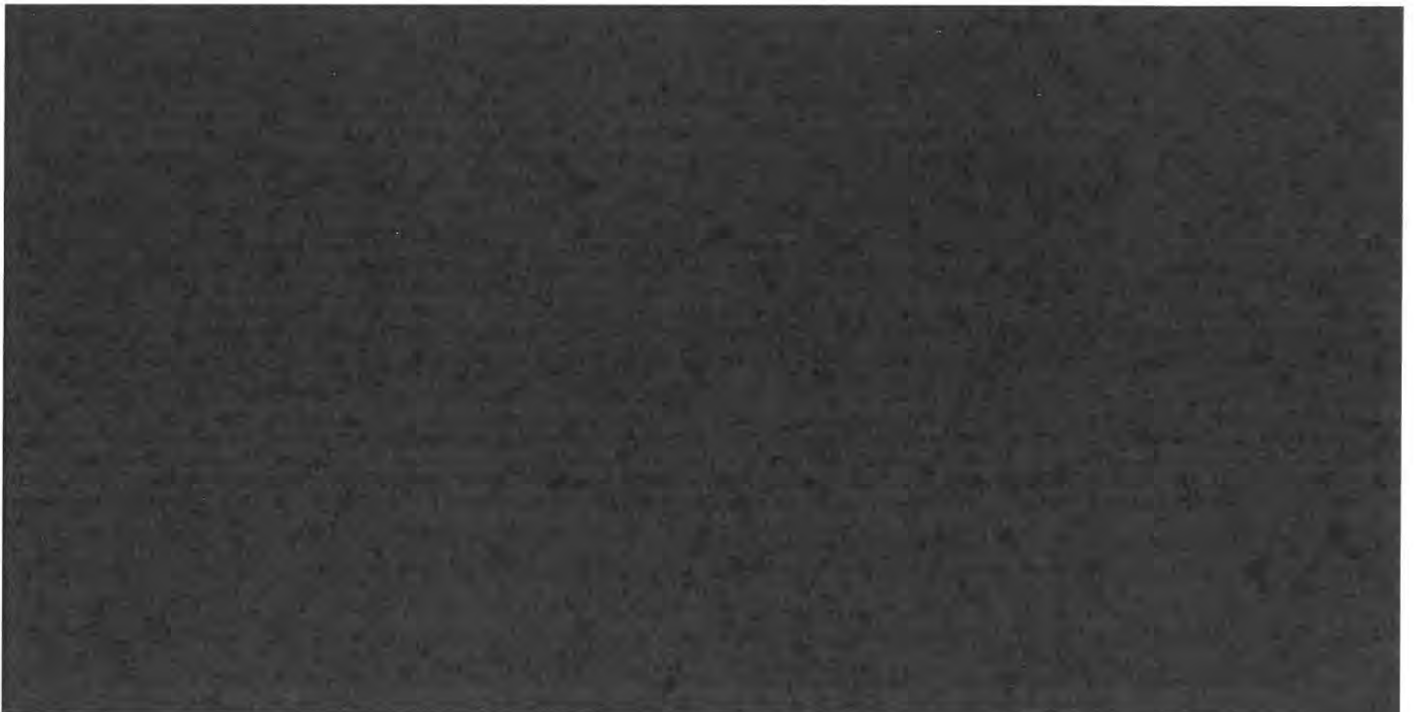
If no, please return this form to the FOI Team

YES/NO

[delete whichever not applicable]

Searches undertaken:

Please provide a list of searches (including search terms) to support your above answer



Approximately how many documents do you hold? An email and its attachments are considered one document. Please advise if there is likely to be duplicates.

Released under FOI

Lots of documents<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-there-are-lots-of-documents->>

Sampling<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling#sampling-and-statistics>>

X documents

Approximately how many pages in total are covered by the request?

Sampling<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling#sampling-and-statistics>>

X pages

Approximately how many third parties will need to be consulted?

Please name the third parties.

What is a third party?<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-procedures-responsibilities#third-parties>>

X third parties

Is there any sensitivity in providing the number of third parties to the applicant?

i.e. could the applicant easily identify the third parties based on the number of third parties that we refer to in our letters

YES/NO

[delete whichever not applicable]

Approximately how much time will it take to examine and copy the documents to determine whether they are relevant to the scope of the request?

X hours

Is any of the material public?

Publicly available material<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/about-foi-the-foi-process#publicly-available-material>>

YES/NO

[delete whichever not applicable]

Are any of the documents in a foreign language?

No: Proceed to next question.

Yes: How many documents are in a foreign language? Have they been translated?

YES/NO

[delete whichever not applicable]

Are there any contracted service providers (such as external law firms, IT providers) or other third parties who may hold additional relevant documents? If yes, please provide contact details.

YES/NO

[delete whichever not applicable]

Is there any further sensitivity in releasing your responses to this table? If yes, please provide details.

Concerns about documents being released<<https://intranet.accg.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-if-there-are-concerns-about-documents-being-released->>

YES/NO

[delete whichever not applicable]

Are you aware of any other branches likely to hold documents within the scope of this request?

If yes, please advise which branch.

YES/NO

[delete whichever not applicable]

Released under FOI

The following links provide additional guidance:

Timeframes<<https://intranet.accc.gov.au/operational-delivery/foi-freedom-of-information/foi-charges-timeframes#timeframes>>

Disclosure outside of FOI<<https://intranet.accc.gov.au/operational-delivery/foi-freedom-of-information/foi-procedures-responsibilities#requests-outside-the-foi-process>>

Third party consultation process<<https://intranet.accc.gov.au/operational-delivery/foi-freedom-of-information/foi-procedures-responsibilities#third-parties>>

Charges<<https://intranet.accc.gov.au/operational-delivery/foi-freedom-of-information/foi-charges-timeframes#charges>>

What to do when you are asked to provide the documents<<https://intranet.accc.gov.au/operational-delivery/foi-freedom-of-information/foi-searching-sampling/foi-statistics-requests-faq#what-do-you-do-when-you-are-asked-to-provide-the-documents->>>

Otherwise, please contact me on x3052 if you have any questions.

Regards

Sonya Petreski

FOI Officer | Corporate Law Unit, Legal Group

Australian Competition & Consumer Commission

Level 2 | 23 Marcus Clarke Street Canberra 2601 | <http://www.foi@acc.gov.au><<http://www.accc.gov.au/>>

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