

[personal information redacted

By email: [personal information redacted]

Corporate Affairs

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Dear [personal information redacted]

## **FOI REQUEST - REFERENCE NUMBER 2014-009**

I refer to your request for access to documents under the *Freedom of Information Act* 1982 (the FOI Act) in your email of 16 April 2014. Specifically, you have sought access to the following document:

"a copy of the original broadcast of the [7.30 program]. That is an unedited version, as presented nationally on 28 March 2014."

I note that on Fridays, the *7.30* program is a State-based current affairs program. Given that 28 March 2014 was a Friday, I have assumed that for the purposes of this request the program you are referring to is the *7.30 NSW* program.

The ABC is specifically excluded from the operation of the FOI Act in relation to its program material by virtue of s7(2) and Part II, Schedule 2 of the FOI Act. 'Program material' for the purposes of that Part has been interpreted to mean:

"the program and all versions of the whole or any part of the program, any transmission broadcast or publication of the program, and includes a document of any content or form embodied in the program and any document acquired or created for the purpose of creating the program, whether or not incorporated into the completed program."

The document you have requested is a copy of a program. Therefore, I am satisfied that the requested document falls within the definition of 'program material', and that the ABC is exempt from the operation of the FOI Act in relation to it.

If you are dissatisfied with the outcome of your request you can apply for Internal or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking IC Review. Information about your review rights is attached.

Yours sincerely

**Judith Maude** 

Head, Corporate Governance