



Australian Government  
Department of Agriculture,  
Fisheries and Forestry

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Office of the Australian Information Commissioner  
By email to: [guidanceandpublications@oaic.gov.au](mailto:guidanceandpublications@oaic.gov.au)

To the Office of the Australian Information Commissioner,

Thank you for providing the Department of Agriculture, Fisheries and Forestry (**department**) with the opportunity to comment on the consultation to the updated version of Part 13 of the Freedom of Information Guidelines (**FOI Guidelines**) ([Consultation Draft April 2026](#)). The department wishes to make submissions in relation to points 5 and 6 of the key changes as set out on the consultation page of your website: [Consultation on Part 13 of the FOI Guidelines – Information Publication Scheme | OAIC](#).

#### **Point 5 – Operational information and automated decision-making (ADM)**

1. We note the reference to ‘simple calculators’ at paragraph 13.120 of the Consultation Draft in relation to the types of ADM that should be published by Commonwealth agencies as part of their public reporting obligations under the FOI Act. We also note that the Attorney-General Department’s [Use of Automated Decision-making by Government Consultation Paper \(November 2024\)](#) (**AGD Consultation Paper**) distinguishes between the automation of ‘general administrative functions of a department’ and ADM (at page 7).
2. We maintain that simple calculator tools, such as Excel spreadsheets, are not forms of ADM, but would rather fall in the category of general administrative functions. The department considers that the requirement to include ‘simple calculators’ as part of the ADM of an agency may inadvertently capture these administrative functions.
3. The department therefore considers that paragraph 13.120 could benefit from clarification by changing references to ‘simple calculators’ to ‘simple rules-based systems’, consistent with references in the AGD Consultation Paper to the basic types of ADM.

#### **Point 6 – Instruments authorising officers to make decisions or take actions**

4. Paragraph 13.124 of the Consultation Draft has been added to clarify that instruments authorising officers within an agency to make certain decisions or take certain actions fall within the definition of ‘operational information’ in section 8A(1) of the FOI Act and should be included on the agency’s IPS entry. We understand that the proposed inclusion of this paragraph is intended to reflect existing guidance in Part 3 of the FOI Guidelines in relation to instruments which authorise decision-making under the FOI Act.<sup>1</sup>

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<sup>1</sup> Specifically, paragraph 3.112 of the FOI Guidelines provides FOI authorising instruments must be published on an agency’s website because they fall within the definition of ‘operational information’ in section 8A(1) of the FOI Act.

5. The department considers that the proposed paragraph 13.124 would benefit from clarification to specify that the requirement to publish authorisation instruments applies only to those which fall under the FOI Act consistent with paragraph 3.112 of the FOI Guidelines.

We appreciate the opportunity to provide our comments.