

**Question on Notice
No. 1827
Asked on Thursday 12 November 2009**

MR SPRINGBORG asked the Minister for Public Works and Information and Communication Technology (MR SCHWARTEN)-

QUESTION:

With reference to the *Right to Information Act 2009* preamble which states 'that information in the government's possession or under the government's control is a public resource, that openness in government enhances the accountability of government and increases the participation of members of the community in democratic processes leading to better informed decision-making'-

- (1) Will the Minister release the advice which the department relied upon to justify the decision not to honour the Deed of Review entered into on 18 February 1997 between the Queensland Building Services Authority and Ms Rosemary Eather of Chapel Hill?
- (2) If not, on what basis does the Minister justify his decision given the intent declared in the preamble?

ANSWER:

- (1) Ms Eather was provided with a detailed statement of reasons in December 1997 in relation to the decision not to give her an ex gratia payment. It is not proposed to release any legal advice associated with that decision.
- (2) Under the *Right to Information Act 2009* a document that is subject to legal professional privilege is exempt information.

Your former Ministerial colleague, Ray Connor, gave unauthorised verbal agreement to Mrs Eather. It was an agreement typical of the Government in which you served which had no legal standing.