

Our ref: Our ref: CRM 2013/398

5 July 2013

Mr Henare Degan

Email address: foi+request-104-a1d77901@righttoknow.org.au

Dear Mr Degan,

I refer to your application dated 5 May 2013, made to the Australian Federal Police, in which you sought access to documents under the *Freedom of Information Act 1982* (the Act) in the following terms:

- "all documents, reports and emails etc. relating to Gamma International's FinFisher suite of software for the calendar year to present."

The Commissioner of the Australian Federal Police, being the principal officer of the Agency, has authorised me to make decisions on behalf of the agency in respect of the Act.

Having reviewed your request and pursuant to section 25 of the Act, the AFP is unable to confirm or deny the existence of documents in relation to your request.

If you are dissatisfied with this decision you can apply for internal or Information Commissioner (IC) Review. You do not have to apply for Internal Review before seeking IC review. In this regard, please refer to the attached information regarding reviews and/ or complaints.

Yours sincerely,



Superintendent Allan J Spencer
Coordinator
Information Access (Freedom of Information)
Government Relations

REVIEW RIGHTS

Internal Review by the AFP

Section 53A of the Act gives you the right to apply for an internal review in writing to this Department within 30 days of being notified of this decision.

No particular form is required but it would assist the decision-maker were you to set out in the application, the grounds on which you consider that the decision should be reviewed.

Applications for a review of the decision should be addressed to:

Government Relations
Information Access (FOI)
Australian Federal Police
GPO Box 401
Canberra ACT 2601

Internal Review by the Information Commissioner (IC)

Alternatively, Section 54L of the Act gives you the right to apply directly to the IC or following an internal review with this Agency. In making your application you need to provide:

- an address for notices to be sent (this can be an email address).
- A copy of this decision.

It would also help if you set out the reasons for review in your application.

Applications for a review of the decision should be addressed to:

Office of the Australian Information Commissioner
GPO Box 2999
Canberra ACT 2601.

Right to Complain

Section 70 of the Act provides that a person may complain to the IC about action taken by this Department in relation to your application.

A complaint to the IC may be made in writing and identify the agency against which the complaint is made.

The IC may be contacted on 1300 363 992. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigation.