



ASIC
Australian Securities &
Investments Commission

**Australian Securities
and Investments Commission**

Office address (inc courier deliveries):
Level 7, 120 Collins Street,
Melbourne VIC 3000

Mail address for Melbourne office:
GPO Box 9827,
Brisbane QLD 4001

Tel: +61 1300 935 075

www.asic.gov.au

(Not the real) Bob Neil

By email: [foi+request-10460-
a7f87f6d@righttoknow.org.au](mailto:foi+request-10460-a7f87f6d@righttoknow.org.au)

Our Reference: FOI 136-2023

13 July 2023

Dear Sir/Madam

Freedom of Information Request No. 136-2023
Acknowledgement of request

I refer to your request dated 12 July 2023 under the *Freedom of Information Act 1982 (FOI Act)* in which you seek access to documents in the possession of the Australian Securities and Investments Commission (**ASIC**).

Your request seeks access to the following:

'I write to seek access to documents under the Freedom of Information Act 1982 (Cth).

I seek access to documents containing:

- 1. any agenda item, minute, or record of proceedings relating to a formal resolution of the Commission to adopt a policy of refraining from investigating allegations of criminal offences, created under legislation that ASIC administers;*
- 2. any agenda item, minute, or record of proceedings of the ASIC Commission Committees or ASIC Management Committees relating to an ASIC policy of refraining from investigating allegations of criminal offences, created under legislation that ASIC administers;*
- 3. any instrument of delegation which confers a discretion upon an employee or officer of ASIC to decide whether to investigate, or refrain from investigating, allegations of criminal offences created under legislation that ASIC administers.*

I am content to receive any such documents in electronic form.

Please contact me promptly if the scope of this request will require extensive search or review such as to delay provision of access to the documents until more than 30 days after the date of this request, so as to discuss any potential refinement of the request, or the possibility of access being granted in phases.'

As your request was received on 12 July 2023 and the 30-day statutory period for processing the request commenced on the day after the date of receipt, you should therefore expect a decision to be made by 11 August 2023.

The 30-day processing period may be extended should ASIC find it is necessary to consult third parties, where a charge is to be imposed on the processing of the request or for other reasons. You will be advised if there are changes to the 30-day processing period.

Please note that any documents released to you under the FOI Act may later be published online on the ASIC disclosure log in accordance with our obligation to do so under the Act. This requirement to publish released documents is subject to certain exceptions for example, personal or business information will not be published where it would be unreasonable.

If you have any questions or wish to discuss, please contact me at krystal.fung@asic.gov.au.

Yours sincerely,

A handwritten signature in black ink that reads "Krystal Fung". The signature is written in a cursive, flowing style.

Krystal Fung

(Authorised decision maker pursuant to subsection 23(1) of the FOI Act)

For the Australian Securities and Investments Commission