

Our reference: 18384/15



**ASIC**

Australian Securities & Investments Commission

4 June 2015

Ms Chloe Ross

**By email:** [foi+request-1063-8e397223@righttoknow.org.au](mailto:foi+request-1063-8e397223@righttoknow.org.au)

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Dear Ms Ross

**Request under the *Freedom of Information Act 1982*  
for access to documents**

I refer to your request under the *Freedom of Information Act 1982 (FOI Act)*, received by ASIC on 7 May 2015, for access to the following:

*I would like to request all information available on the finances and any complaints filed against Indonesian furniture exporter businesses CV Rakabbu and CV Roda Jati.*

We sought further clarification from you regarding these entities/persons as searches of ASIC's business names register did not turn up any results.

In a subsequent email of 13 May 2015, you provided the following clarification:

*The businesses may also appear under the names Mulyono, Joko Widodo, Jaka Widada or Miyono.*

I am an authorised decision-maker for the purposes of section 23 of the FOI Act.

**Decision**

I advise that your request is refused under section 24A of the FOI Act, as the documents you have requested do not exist.

I advise that our searches of ASIC's register did not turn up any results for the entities you have named, and therefore there are no documents that fall within the scope of your request.

Foreign companies are only required to be registered under the *Corporations Act 2001* if they wish to carry on business in Australia. Once registered in Australia, these companies are required to lodge copies of financial statements with ASIC and notify us when some company details change.

In the event any of these companies do become registered in Australia, many of the documents they would be required to file with ASIC would be publicly available via ASIC's website, ASIC Connect.

**Section 24A – Requests may be refused if documents cannot be found, do not exist or have not been received**

Section 24A of the FOI Act provides that requests may be refused if documents cannot be found, do not exist or have not been received.

Section 24A states:

- (1) An agency or Minister may refuse a request for access to a document if:
  - (a) All reasonable steps have been taken to find the document; and
  - (b) the agency or Minister is satisfied that the document:
    - (i) is in the agency's or Minister's possession but cannot be found;  
or
    - (ii) does not exist.

**Review Rights**

I provide you with the following information as required by section 26 of the FOI Act. If you are dissatisfied with the decision:

1. You may, within 30 days after the day on which you have been notified of this decision, apply in writing to ASIC for a review of my decision by another ASIC officer under section 54B of the FOI Act. This request should be addressed to me or to the Senior Manager, Administrative Law GPO Box 9827 MELBOURNE VIC 3001 or by email to [foirequest@asic.gov.au](mailto:foirequest@asic.gov.au).
2. You may apply in writing to the Australian Information Commissioner for a review of my decision under section 54N of the FOI Act. Correspondence should be addressed to the Office of the Australian Information Commissioner at: GPO Box 2999 Canberra ACT 2601 OR GPO Box 5218 Sydney NSW 2001.
3. You may lodge a complaint to the Australian Information Commissioner in respect to the conduct of ASIC in the handling of this request. Correspondence should be addressed to the Office of the Australian Information Commissioner at: GPO Box 2999 Canberra ACT 2601 OR GPO Box 5218 Sydney NSW 2001.

If you have any questions in relation to this letter please contact me on 03 9280 4638 or email [lauren.roy@asic.gov.au](mailto:lauren.roy@asic.gov.au). If you wish to discuss your ASIC's consideration of your report of misconduct, we would encourage you to contact the original analyst directly.

Yours sincerely



**Lauren Roy**

**(Authorised decision-maker under subsection 23(1) of the FOI Act)  
For the Australian Securities and Investments Commission**