



27 October 2023

Our ref: 2023/10706

Fredrick Hoffman

**BY EMAIL ONLY:** [foi+request-10684-7064f381@righttoknow.org.au](mailto:foi+request-10684-7064f381@righttoknow.org.au)

Dear Mr Hoffman

**RE: FREEDOM OF INFORMATION ACT 1982 APPLICATION – APPLE MOU**

I refer to your request received by AMSA on 13 September 2023 in which you sought access to documents under the *Freedom of Information Act 1982* (the FOI Act). The request sought copies of agreements relating to the SOS function on Apple devices. Specifically, your request sought:

*“... any MOU or agreements related to the JRCC and 1. Apple 2. Any other providers related to the Emergency SOS feature found on Apple devices.”*

This letter sets out my decision on your request for access. I am an authorised decision-maker under section 23 of the FOI Act.

**Timeframe for processing your request**

Your request was received by AMSA on 13 September 2023. The statutory period for processing your request is 30 days. The timeframe for processing your request therefore expires on 13 October 2023.

**Decision**

After taking all reasonable steps to locate relevant documents relating to your aforementioned request, I am satisfied that no such documents are in the possession of AMSA that fall within the scope of your request. I therefore resolve your application under s 24A(1) of the FOI Act on the basis that the requested documents do not exist.

I have consulted with the AMSA employees who are responsible for maintaining the AMSA databases that contain information of the nature you have sought. This consultation process included considering the subject matter of your request, the file and record management system used by AMSA, and identifying the individuals within AMSA who may be able to assist locating relevant documents.

Following this process, I am satisfied that AMSA does have any memorandums of understanding or agreements with Apple or any other like service providers related to the Emergency SOS feature found on Apple devices.

## **Relevant material**

In reaching my decision I referred to the following:

- the terms of your request;
- the FOI Act;
- guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act;
- advice from AMSA officers with responsibility for matters relating to the documents to which you sought access; and
- advice from AMSA's in-house legal team.

## **Review rights**

You are entitled to seek review of this decision. **Attachment A** sets out your rights to apply for review if you are dissatisfied with my decision.

## **Contacts**

If you have any queries about this notice, please do not hesitate to contact AMSA's FOI team at [freedomofinformation@amsa.gov.au](mailto:freedomofinformation@amsa.gov.au).

Yours sincerely,

**KEVIN MCEVOY**  
**MANAGER AMSA RESPONSE CENTRE**  
**RESPONSE**

## **Attachment A - review rights**

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

### **Internal review**

Under section 54 of the FOI Act, you may apply in writing to AMSA for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter.

Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

An internal review application should be addressed to:

The Freedom of Information Officer  
Email: [FreedomOfInformation@amsa.gov.au](mailto:FreedomOfInformation@amsa.gov.au)

If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

### **Information commissioner review**

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: [https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR\\_10](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10)

email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

post: GPO Box 5218 Sydney NSW 2001

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to <https://www.oaic.gov.au/freedom-of-information/freedom-of-information-guidance-for-government-agencies/freedom-of-information-reviews/summary-of-the-freedom-of-information-review-process>

### **FOI complaints**

If you are unhappy with the way AMSA has handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem. If you are not satisfied with our response, you can make a complaint to the Australian Information

Commissioner. A complaint to the Information Commissioner must be made in writing. Complaints can be lodged in one of the following ways:

Online:

[https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA\\_1](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA_1)

Email to [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

Post: GPO Box 5218, Sydney 2001, NSW

More information about complaints is available on the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-complaints/make-an-foi-complaint>