



**ASIC**

Australian Securities & Investments Commission

Our Ref: SPEAR 09-20044/FOI Request

19 February 2016

Mr Ben Fairless

**By email only to: [foi+request-1447-d8566fc2@righttoknow.org.au](mailto:foi+request-1447-d8566fc2@righttoknow.org.au)**

Level 5, 100 Market Street,  
Sydney NSW 2000  
GPO Box 9827, Sydney NSW 2001  
DX 653 Sydney

Telephone: +61 2 9911 2000

Facsimile: +61 2 9911 2414

[www.asic.gov.au](http://www.asic.gov.au)

Dear Mr Fairless

**Request Under the Freedom of Information Act 1982  
For Access to Documents**

**A. Introduction**

1. I refer to your request under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) received by this office by email on 22 December 2015 in which you sought access to the following in relation to ASIC Media Release 12-261:

*"ASIC states that it provided the court with "ACM debt collector training manual". As this case has long since been adjudicated, can you please provide me with a copy of the above manual?"*

2. I am the authorised decision-maker for the purposes of section 23 of the FOI Act.
3. I have identified one document which comes within the terms of your request (**the Document**). The Document is a 44-page document titled "Introduction" dated May 2007 version numbered 1.4.
4. On 28 January 2016, ASIC sought submissions from affected third parties regarding the release of the Document pursuant to section 27(4) of the FOI Act. On 12 February 2016, the affected parties wrote to ASIC objecting to release of the Document.
5. On 12 February 2016, the Office of the Australian Information Commissioner granted ASIC an extension to 19 February 2016 to process your request.

**B. My Decision**

6. I advise that I have decided to release the Document.

### C. Deferment of Access

7. Section 27(7) of the FOI Act states the following:

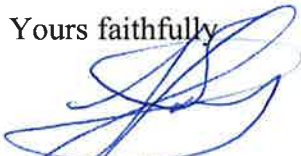
*"However, the agency or Minister must not give the applicant access to the document unless, after all the opportunities of the person or organisation concerned for review or appeal in relation to the decision to give access to the document have run out, the decision to give access still stands, or is confirmed."*

8. Pursuant to section 27(7) of the FOI Act, your access to the Document will be deferred until all of the third parties' review or appeal periods in relation to my decision have run out and the decision still stands or is confirmed.
9. You will be notified should a review or appeal be requested by any affected third parties.

### D. Review Rights

10. I provide you with the following information as required by section 26 of the FOI Act.
11. In the event that you are dissatisfied with the decision:
- a) 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 SYDNEY or by email to [foirequest@asic.gov.au](mailto:foirequest@asic.gov.au)
  - b) 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.
  - c) You may lodge a complaint to the Commonwealth Ombudsman in respect to the conduct of ASIC in the handling of this request. To do so, you can contact the Ombudsman's office either: by e-mail to [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au), by letter to GPO Box 442 Canberra ACT 2601, or by fax to (02) 6276 0123.

Yours faithfully



Jenna Molesworth

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