

17 March 2016

Mr Brandon Atkins
By email: foi+request-1692-a4ab163e@righttoknow.org.au

ACMA file reference: ACMA2016/172

Dear Mr Atkins

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

I refer to your *Freedom of Information Act 1982* (FOI Act) request dated 29 February 2016 and received on that day, in which you sought access to:

[...] any documents of investigation in regards to the 2DAY FM hoax in December 2012 in which a UK nurse committed suicide from the radio presenters actions in a segment they did on the defunt [sic] Hot 30 Countdown.

On 3 March 2016, Mr Jeremy Fenton, Manager of the ACMA's Broadcasting Investigations Section, wrote to you seeking clarification of the scope of your request. You have not responded to that correspondence.

Decision on access

I confirm that I am an authorised decision maker within the meaning of section 23 of the FOI Act.

In the absence of the guidance sought from you as to the interpretation of your request, I have considered the terms of your request and I have determined that it relates to the ACMA's report of its investigation into the incident to which you refer (sometimes referred to and 'the royal prank call'), prepared pursuant to subsection 178(1) of the *Broadcasting Services Act 1992*.

Having regard to the FOI Act and the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act, I have decided to grant you access to the document sought, being the document titled 'Investigation Report No. 2928' being the ACMA's report of its investigation into the *Summer 30* program broadcast by Today FM (Sydney) Pty Ltd on 4 December, 2012. A copy of that document is enclosed.

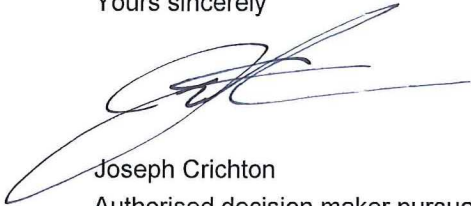
I have decided that you are not liable to pay a charge in respect of your request for the enclosed document.

Your rights of review

Please also find enclosed the ACMA's Information Sheet entitled *Freedom of Information Act 1982 - Rights of Review of Applicants*.

Please do not hesitate to contact me on (02) 9334 7920 if you have any questions.

Yours sincerely



Joseph Crichton

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

Encl.: 'Investigation Report No. 2928' and '*Freedom of Information Act 1982 - Rights of Review*'.