



GPO BOX 4889 SYDNEY NSW 2001

Mr Patrick Conheady
c/- Righttoknow website

By email:
foi+request-1802-d9e80121@righttoknow.org.au

Reply to: GPO Box 4889
Sydney NSW 2001
Our reference: 1-7VQPS7C
Contact officer: Elizabeth Li
Phone: 13 28 69

29 April 2016

Decision regarding your Freedom of Information request

Dear Mr Conheady,

I refer to your request under the *Freedom of Information Act 1982* (FOI Act), received by the ATO on 7 April 2016, for access to documents relating to;

the procedures followed by ATO FOI staff in processing payments received in relation to FOI requests.

I am an officer authorised under section 23 of the FOI Act to make decisions regarding access to documents.

I have included my decision and the *Statement of reasons* for that decision. I have also included a *Schedule of documents* related to the documents you requested.

FOI Decision

I have decided to release in part 1 document as set out in the *Schedule of documents*.

Statement of Reasons

In reaching my decision I relied on the following documentary evidence

- *Freedom of Information Act 1982*
- *Taxation Administration Act 1953*
- CEI 2014/07/03 Information Disclosure Policy
- Information Commissioner guidelines

In assessing the material above, my findings were:

- No specific documents exist in relation to FOI payment processing. However, there is a General ATO policy that covers all employees and the handling of payments generally.
- Contractual performance criteria have been redacted as commercially valuable, since that function is outsourced.

Schedule of Documents

Doc	Folios	Title	Decision	Section	Reason
1	3	FMPI Managing relevant money	Release in part	S47(1)(b)	Commercially valuable

Section 47 – Documents disclosing trade secrets or commercially valuable information

The document contains information having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed. Parts of document are considered to be exempt under section 47 of the Act.

Fees and Charges

I am an officer authorised under section 23 of the FOI Act to make decisions regarding access to documents. As per Guideline 4 of the Office of the Australian Information Commissioner guidelines, I have made no charge for this application.

Your rights of review

If you are unhappy with my decision, you can either request an internal review or request an independent review by the Australian Information Commissioner. You can also apply to the Australian Information Commissioner after an internal review has been conducted.

A request for an internal review needs to:

- be in writing
- be sent to us within 30 days of being notified of my decision, and
- be sent, quoting reference number **1-7VQPS7C**, via:
 - email at FOI@ato.gov.au or
 - mail to:
Australian Taxation Office
GPO Box 4889
Sydney NSW 2001

The internal review will be done by an officer who did not make the initial decision.

A request for an independent review by the Australian Information Commissioner needs to:

- be sent within 60 days of being notified of my decision
- include a copy of this notice
- include an address where notices can be sent (e.g. your email address), and
- be sent to:
GPO Box 5218
Sydney NSW 2001
- For further details regarding the Information Commissioner visit <https://www.oaic.gov.au/freedom-of-information/foi-review-process>

You may also apply to the Information Commissioner if you have not been informed of the outcome of an internal review within 30 days.

Complaints

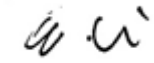
Any complaint about the processing of your FOI request can be directed to the Commonwealth Ombudsman. The complaint should set out the grounds on which you consider the action should be investigated. Complaints can be made in writing, by phone, in person or by using an online form available from their website.

- Phone: 1300 362 072
- Email: ombudsman@ombudsman.gov.au
- Postal: GPO Box 442 Canberra ACT 2601
- Website: www.ombudsman.gov.au/pages/making-a-complaint/

For more information

If you have any questions, please phone **13 28 69** during business hours and ask for Elizabeth Li on ext 48951

Yours faithfully

A handwritten signature in black ink, appearing to read 'E. Li', is positioned below the closing text.

Elizabeth Li
Senior Legal Officer
General Counsel