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Our ref: #1001463  
Contact officer: William Herron  
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4 July 2016

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

Mr Richard Woolf

Via email to: [foi+request-1978-38d68dd5@righttoknow.org.au](mailto:foi+request-1978-38d68dd5@righttoknow.org.au)

Dear Mr Woolf

### **Decision on freedom of information request**

I refer to email dated 3 June 2016 in which you request access, under the *Freedom of Information Act 1982* (Cth), to the following:

*'On 15 July 2015, I submitted a complaint via the ACCC website, with reference 'accc-complaint-46573'.*

*I would like all files under this case, including, but not limited to, all correspondence related to the case, all related correspondence between the ACCC (and its parties) and Australia Post (and its parties).'*

### **Decision**

I have decided to release these documents to you in accordance with the Schedule (Attachment A). Your review rights are set out in Attachment B.

I am authorised under s.23 of the Act, to make this decision.

### **Understanding the schedule**

In relation to the Schedule, please note:

- (a) Column 1 of the Schedule refers to each document by a document number created for the purpose of processing this request;
- (b) Column 2 of the Schedule gives, where applicable, the name and organisation of the author of the document;
- (c) Column 3 of the Schedule gives, where applicable, the name and organisation of the addressee of the document;
- (d) Column 4 of the Schedule shows the date appearing on the document;
- (e) Column 5 of the Schedule briefly describes the document or, where applicable, each part of a composite document;

- (f) Column 6 of the Schedule gives the number of pages of the document or, where applicable, each part of a composite document;
- (g) Column 7 of the Schedule shows my decision on whether, and what form, access has been granted to the document, where applicable;

As your request is for your own information, there are no charges for processing your request.

**Publication of documents released under FOI**

In accordance with s.11C of the Act, I have decided not to publish the documents released on the ACCC's Disclosure Log.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'W. Herron'.

William Herron  
FOI Coordinator  
ACCC Legal Group

Sent by email 4/07/2016

# **ATTACHMENT A** **Schedule of documents**

Doc No	Author	Addressee	Date	Description	No of folios	Access	Findings, Reasons and Brief Description
1	Infocentre ACCC		15.7.2015	Database printout ACCC complaint 46573 plus attachments	9	Granted	
2	Infocentre ACCC		15.7.2015	Database printout Individual InfoForm Report REF1740186	6	Granted	

**ATTACHMENT B**  
**INFORMATION ON RIGHTS OF REVIEW**

**1. ACCC Internal Review**

Under s.54A of the FOI Act, you can apply for an internal review of my decision to grant access to documents on which you were consulted. If you do not agree with our decision, please write to the ACCC within 30 days of receipt of this letter indicating that you seek an internal review of this decision.

If you make an application for review, another officer of the ACCC will review and make another decision in regards to these documents.

There is no charge payable for requesting an internal review. No particular form is required to apply for review. You will need to set why the decision should be changed.

Please send any correspondence to:

FOI Coordinator  
Australian Competition & Consumer Commission  
GPO Box 3131  
Canberra ACT 2601

We will not release the documents in contention until the time to apply for internal or Information Commissioner (IC) review has expired and we have not received a review application. Alternatively, if an application for internal or Information Commissioner review is made, access will not be given unless the decision is confirmed on review and either no application is made for Administrative Appeals Tribunal (AAT) review, or application for AAT review is dismissed, or the decision is confirmed on AAT review.

If you make an application for internal review and we do not make a decision within 30 days or such further period as the IC allows, the original decision is considered affirmed. In such circumstances, you can seek review of our deemed decision by the IC.

**2. Review by the Information Commissioner**

You may ask for a review of a decision by the Australian Information Commissioner (IC). You do not have to go through our internal review process first for this process. If you do choose to seek an internal review, you can still seek IC review for the internal review decision if we refuse access to the documents.

You must apply in writing and you can lodge your application in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)  
Post: GPO Box 5218, Sydney NSW 2001  
Fax: +61 2 9284 9666  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

If you disagree with the Information Commissioner's review decision, you can appeal to the Administrative Appeals Tribunal (AAT).

The Tribunal is a completely independent review body with the power to make a fresh decision. A filing fee of \$861.00 (as at 1 July 2014) should accompany your application, unless you are granted legal aid or you come within an exempt category of persons (check with the Tribunal registry in your State). The Registrar or Deputy Registrar may waive the fee on the ground that its payment would impose financial hardship on you. The fee may be refunded if you are successful.

### **3. Complaint to the Commonwealth Ombudsman**

You may request the Commonwealth Ombudsman to investigate action taken by the ACCC in relation to this Freedom of Information request. There is no fee for making a complaint. The Commonwealth Ombudsman will consider your complaint and, if appropriate, conduct an investigation into it. Any investigation will be completely independent.

You must lodge your complaint in writing and do so in one of the following ways:

Online: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

Post: GPO Box 442, Canberra ACT 2601

Fax: +61 2 6276 0123

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)