

Our reference: 16/140330



**AUSTRALIAN
CRIMINAL
INTELLIGENCE
COMMISSION**

GPO Box 1936
Canberra City ACT 2601
Phone: +61 2 6243 6666
www.acic.gov.au

1 September 2016

Mr Phillip Sweeney

By email: foi+request-2124-3beaa274@righttoknow.org.au

Dear Mr Sweeney,

Freedom of Information Request ACIC 16-18

I refer to your request for access under the *Freedom of Information Act 1982* (the FOI Act) to:

A copy of a Deed of Variation dated 20 November 1974 that amends the provisions of an occupational pension scheme established by a Trust Deed dated 23 December 1913 to add Regulation 30A and where the original sponsoring employer was a company called Elder Smith & Co Ltd.

Your request was received by the ACIC on Saturday 13 August 2016. An acknowledgment letter was sent to you on 15 August informing you that a decision was due to be made in relation to this request by **Monday 12 September 2016**.

This is a decision made under the FOI Act in relation to a document within the scope of that request.

Authority and materials considered

I am authorised under section 23 of the FOI Act to make a decision concerning the information you have requested access to.

In reaching my decision I have taken into consideration:

- the relevant provisions of the FOI Act;
- the contents of the relevant document;
- relevant guidelines issued by the Office of the Australian Information Commissioner; and
- relevant Tribunal and Federal Court decisions concerning the operation of the FOI Act.

Decision

I have identified one document as being within the scope of your request. Details of the document are set out at Annexure A. I have decided to release the document to you in full.

Disclosure Log

Section 11C of the FOI Act provides that information about any documents released under that Act must be published on the ACIC's website within 10 days of release, subject to the exemptions set out in section 11C(1)(a)-(d).

Your review rights

If you are dissatisfied with this decision you can apply for internal review or review by the Information Commissioner. You do not have to apply for internal review before seeking the Information Commissioner's review.

Internal review

You may seek internal review by making an application in writing to the ACIC within 30 days of being notified of this decision. A written application for a review should be sent to the FOI Coordinator at foi@acic.gov.au, or by post to:

FOI Coordinator
Australian Criminal Intelligence Commission
GPO Box 1936
Canberra ACT 2601

Information Commissioner review

Alternatively, you may apply in writing for review by the Information Commissioner. In making your application you need to provide:

- an address for notices to be sent (this can be an email address)
- a copy of this decision.

It would also help if you set out the reasons for review in your application. Requests for review must be in writing and can be made via the website (www.oaic.gov.au), by email at enquiries@oaic.gov.au, or by post at:

Office of the Australian Information Commissioner
GPO Box 2999
Canberra ACT 2601

If you are objecting to a decision to refuse access to documents you must apply to the Information Commissioner within 60 days of being given notice of the decision. You can contact the Information Commissioner by phone on 1300 363 992.

Right to complain

You may make a complaint to the Information Commissioner about action taken by the ACIC in relation to your application. The complaint needs to be in writing and identify the agency against which the complaint is made.

The Information Commissioner may be contacted on 1300 363 992. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigated.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shelby', with a stylized flourish extending to the right.

Shelby Simadas
FOI Coordinator

Annexure A - Schedule of documents – Freedom of Information Request no. [16-18]

Document no.	Date	Size	Description	Decision on access	Exemption
1	20 July 2016	15 Pages	Attachment to correspondence from Mr Sweeney to the ACIC	Released in full	N/A