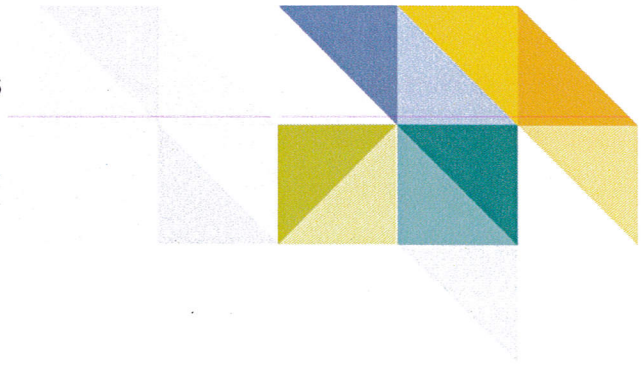




Canberra Office  
ABS House  
45 Benjamin Way  
Belconnen ACT 2617  
Phone 1300 135 070

Locked Bag 10  
Belconnen ACT 2616

[www.abs.gov.au](http://www.abs.gov.au)  
ABN 26 331 428 522



ABS Ref: FOI201617/32

Dear Mr Paul

**RE: YOUR FREEDOM OF INFORMATION REQUEST**

I refer to your email on 17 August 2016 ([Attachment A](#)) to the FOI officer in which you sought access to the following under the *Freedom of Information Act 1982* (FOI Act):

'...documents and policies covering the actions the ABS shall take during periods of great societal upheaval and disorder including any invasion, war or insurrection where sovereignty of the government is at risk and/or where the information the ABS holds on the citizenry might be used against it.

Additionally I would like details on what kinds of attacks against the state have been considered by the ABS and what measures will be taken to ensure the data the ABS holds will not be used against the people or the government in such attacks'

**Response to your request:**

I am an authorised decision maker under section 23 of the FOI Act.

A search has been conducted for documents relevant to your request. No documents have been found that would fall within the terms of your request. In accordance with subsection 24A(1)(b)(ii) of the FOI Act (see [Attachment B](#)), I refuse your request on the grounds that no documents exist.

**Charging or Waiving of Processing Fees**

The ABS will not charge you any fees associated with processing this FOI request.

**Internal Review of the Decision**

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision by the Australian Bureau of Statistics. Additionally you may request a review of this decision by the Information Commissioner. Details of both procedures involved in an application to review a decision are set out at [Attachment C](#).

If you have any queries on this matter please contact the ABS FOI Contact Officer on (02) 6252 7203 or at [freedomofinformation@abs.gov.au](mailto:freedomofinformation@abs.gov.au).

Yours sincerely

Christine Williams  
Program Manager  
Governance and Parliamentary Liaison Branch  
Australian Bureau of Statistics

14 September 2016

**Attachment A**

Dear Australian Bureau of Statistics,

I would like to request documents and policies covering the actions the ABS shall take during periods of great societal upheaval and disorder including any invasion, war or insurrection where sovereignty of the government is at risk and/or where the information the ABS holds on the citizenry might be used against it.

Additionally I would like details on what kinds of attacks against the state have been considered by the ABS and what measures will be taken to ensure the data the ABS holds will not be used against the people or the government in such attacks.

Yours faithfully,

Nathan Paul

Freedom of Information Act 1982

Section 24A

**24A Requests may be refused if documents cannot be found, do not exist or have not been received**

*Document lost or non-existent*

- (1) An agency or Minister may refuse a request for access to a document if:
  - (a) all reasonable steps have been taken to find the document;  
and
  - (b) the agency or Minister is satisfied that the document:
    - (i) is in the agency's or Minister's possession but cannot be found; or
    - (ii) does not exist.

*Document not received as required by contract*

- (2) An agency may refuse a request for access to a document if:
  - (a) in order to comply with section 6C, the agency has taken contractual measures to ensure that it receives the document;  
and
  - (b) the agency has not received the document; and
  - (c) the agency has taken all reasonable steps to receive the document in accordance with those contractual measures.

**INFORMATION ON RIGHTS OF REVIEW**

**1. APPLICATION FOR INTERNAL REVIEW OF DECISION**

If you disagree with our decision you have the right to apply for an internal review under section 54 of the FOI Act.

Application for a review of the decision must be made within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker were you to set out in the application the grounds on which you consider that the decision should be reviewed.

Application for a review of the decision should be addressed to:

ABS FOI Contact Officer  
Policy, Legislation and Assurance Section  
Australian Bureau of Statistics  
Locked Bag 10  
BELCONNEN ACT 2617

**OR**

**2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION**

Section 54L of the Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner  
Office of the Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

**AND/OR**

**3. COMPLAINTS TO THE INFORMATION COMMISSIONER**

Section 70 of the Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner  
Office of the Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.