



Australian Government
Department of Foreign Affairs and Trade

1608-F1516
16/24198
22 September 2016

Dan Monceaux
foi+request-2146-a9addcea@righttoknow.org.au

Dear Mr Monceaux

Re: Freedom of Information (FOI) Request

I refer to your e-mail of 22 August to the Australia-Korea Foundation in which you seek access under the provisions of the *Freedom of Information Act 1982* (FOI Act) to:

I am writing to request access to any documentation or correspondence held by your agency regarding the prospect of the export of South Korea's spent nuclear fuel for management, storage and disposal in Australia.

I am authorised under section 23 of the FOI Act to make decisions, and have been appointed to be the decision-maker on your request in line with departmental procedures.

I advise that a search of files undertaken by the Australia-Korea Foundation has failed to identify any document relevant to the scope of your request.

The Australia-Korea Foundation's purpose is to promote bilateral relations between Korea and Australia. The objectives of the Foundation are to increase public awareness of Australia in Korea and of Korea in Australia; develop partnerships in areas of shared interest in the bilateral, regional and global context; and increase Australians' capacity to effectively engage with Korea. The Foundation offers annual grant funding to organisations and individuals to support projects or activities which advance Australia's engagement with Korea, including exchanges, partnerships and other collaborations in the general fields of business, education, academia, arts/culture and society. Its remit does not include the negotiation of bilateral agreements. Further information on the Foundation is available at:

<http://dfat.gov.au/people-to-people/foundations-councils-institutes/australia-korea-foundation/Pages/australia-korea-foundation.aspx>

I am therefore unable to meet your request in accordance with the provisions of section 24A(1)(b)(ii) as DFAT holds no documents relevant to your request.

Please find your rights of review outlined below.

Internal review

Under the provisions of section 54 of the FOI Act, you are entitled to request a review of my decision. Your request should be made in writing and sent within 30 days of receipt of this letter addressed to:

Director
Freedom of Information and Privacy Law Section
Department of Foreign Affairs and Trade
R G Casey Building
John McEwen Crescent
Barton ACT 0221

Australian Information Commissioner

Under the provisions of section 54 of the FOI Act, you are entitled to request a review by the Australian Information Commissioner of my access refusal decision. You may also make a complaint to the Australian Information Commissioner under section 70 on the Department's performance of its functions or the exercise of power under the FOI Act.

Your request for review or complaint should be addressed to:

Office of the Australian Information Commissioner
GPO Box 5218
Sydney NSW 2001
email: enquiries@oaic.gov.au
Telephone: 1300 363 992
Fax: (02) 9284 9666

Complaints to the Commonwealth Ombudsman

You may complain to the Ombudsman concerning actions taken by an agency in the exercise of its powers or, more specifically, the performance of its functions under the FOI Act. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation of your complaint.

You may complain to the Ombudsman by calling or writing to:

Commonwealth Ombudsman
Level 5, Childers Square,
14 Childers Street
Canberra City ACT 2601
email: ombudsman@ombudsman.gov.au
Telephone: 1300 362 072
Fax: (02) 6276 0123

Should you have any queries regarding this matter please contact your FOI case officer, Ada Cheung, on (02) 6261 1111 or by email to foi@dfat.gov.au

Yours sincerely

Helen Horsington

Helen Horsington
Director
Freedom of Information and Privacy Law Section

