



16 December 2016

FOI ref: 1982

Mr Ben Fairless
Right to Know

By email: foi+request-2558-6200414e@righttoknow.org.au

Dear Mr Fairless

FREEDOM OF INFORMATION (FOI) REQUEST

I refer to your FOI request to this department dated 2 November 2016. Your request reads as follows:

'Can I please have a copy of the current FOI Delegations, and any related directions issued in respect of FOI'

I am an authorised decision maker under section 23 of the *Freedom of Information Act 1982* (the Act).

Decision

The department does not hold any '*FOI Delegations*' as such. However, I have decided to release a copy of our FOI '*Authorisation Under Section 23*' and it is accordingly attached. In relation to your request for any '*related directions in respect of FOI*', I am unable to provide you with any as there are no such documents in the department's possession.

Rights of Review

Please find attached a document setting out your rights of review in this matter.

I should point out that the Treasury publishes all documents disclosed in response to FOI requests (other than personal or business information the publishing of which would be unreasonable) on the Treasury website at the same time as release to the applicant. This is consistent with the arrangements set out in section 11C of the Act.

Yours sincerely

Kathleen O'Kane
Acting Division Head
Parliamentary and Legal Services Division

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

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

No particular form is required but it would assist the decision-maker if you could 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:

The Secretary
The Treasury
Langton Crescent
PARKES ACT 2600
Attention: Parliamentary and Legal Services Unit

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 Australian 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 Australian 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.