



Australian Government

Comcare

11 November 2016

Ben Fairless

**By email:** [foi-request-2568-f615ead3@righttoknow.org.au](mailto:foi-request-2568-f615ead3@righttoknow.org.au)

Dear Mr Fairless,

**Freedom of Information Request No: 2016/10809**

I refer to your email of 2 November 2016, seeking access under the *Freedom of Information Act 1982* (the FOI Act) to:

- *'...a copy of the current FOI Delegations, and any related directions issued in respect of FOI.'*

**Authority**

I am authorised under section 23 of the FOI Act to make decisions in relation to FOI requests, and this notice sets out the decision on your request.

**Decision**

I have decided to release Comcare's FOI delegations, dated 24 August 2015, to you in full.

**Review rights**

Should you not be satisfied with this decision, you are entitled to seek review of the decision. Your review rights are set out at [Attachment A](#) to this notice.

**Contact**

Should you require clarification of any matter discussed in this letter, please contact me by email to [foi@comcare.gov.au](mailto:foi@comcare.gov.au) or by telephone 1300 366 979.

Yours sincerely

*Bernadette Suitor*  
Freedom of Information

Attachments

- A. Review rights

## **Review Rights**

If you are dissatisfied with this decision, you have certain rights of review available to you. Firstly, under section 54 of the FOI Act, you may apply for an internal review of the decision by Comcare. Your application must be made by whichever date is the later between:

- 30 days of you receiving this notice; or
- 15 days of you receiving the documents to which you have been granted access

An internal review will be conducted by a person other than the original decision-maker. No particular form is required to apply for review. An application for a review of the decision may be emailed to [foi@comcare.gov.au](mailto:foi@comcare.gov.au) or addressed to:

Freedom of Information  
Comcare  
GPO Box 9905  
CANBERRA ACT 2601

Should you choose to seek an internal review, you will still have a right to apply to the Office of the Australian Information Commissioner (OAIC) for a review of Comcare's internal review decision.

## **Review by the Australian Information Commissioner**

Alternatively, under section 54L of the FOI Act, you may seek review of this decision by the Australian Information Commissioner (IC) without first going to internal review. Your application must be made within 60 days of you receiving this notice.

The IC is an independent office holder who may review decisions of agencies and Ministers under the FOI Act. More information is available on the OAIC website: [www.oaic.gov.au](http://www.oaic.gov.au).

You may contact the IC to request a review of a decision by email to [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au) or addressed to:

OAIC  
GPO Box 5218  
Sydney NSW 2001

## **Complaints to the Commonwealth Ombudsman**

You may complain to the Commonwealth Ombudsman about any action taken by Comcare in relation to your request. The Ombudsman will consult with the OAIC before investigating a complaint about the handling of an FOI request.

Your enquiries to the Ombudsman may be directed by telephone to 1300 362 072 or by email to [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au).

There is no particular form required to make a complaint to the Ombudsman. The request should be in writing, set out the grounds for investigation and identify Comcare as the relevant agency.