

7 November 2016

Attention: Mr Ben Fairless

Via email: [foi+request-2636-e48ee0d0@righttoknow.org.au](mailto:foi+request-2636-e48ee0d0@righttoknow.org.au)

Dear Mr Fairless,

I wish to acknowledge receipt of your email received on 2 November 2016 which stated the following:

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

*I believe this information could be considered "operational information" so I therefore request release under the IPS, or under Administrative Access.*

If you are not making a formal request for information under the Freedom of Information Act 1982 (Cth) ('FOI Act') I advise that it is unclear what is meant by "*FOI Delegations, and any related directions issued in respect of FOI*". In order to respond to your query please clarify what is meant by this or the nature of the document(s) or information you are seeking.

However if you are making a request for information pursuant to FOI Act I draw your attention to the following:

Section 15(2) of the FOI Act states:

*The request must:*

*(a) be in writing; and*

*(aa) state that the request is an application for the purposes of this Act; and*

*(b) provide such information concerning the document as is reasonably necessary to enable a responsible officer of the agency, or the Minister, to identify it; and*

*(c) give details of how notices under this Act may be sent to the applicant (for example, by providing an electronic address to which notices may be sent by electronic communication).*

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I wish to advise that your correspondence does not specifically state that the request is an application for the purposes of FOI Act as required under Section 15(2)(aa) of the FOI Act.

Further, your request does not contain sufficient detail to determine or identify the document or information you are seeking as per Section 15(2)(b) of the FOI Act. It is not clear what is meant by “*current FOI Delegations, and any related directions issued in respect of FOI*”.

Lastly, you are also required to advise how any notices may be sent to you under Section 15(2)(c) of the FOI Act. For the purposes of this correspondence I am responding by reply email but if you wish to correctly lodge a request under the FOI Act please confirm how notices may be sent to you.

If you could please clarify the above I would be happy to assist.

Yours sincerely,

*Rebecca Kenny*

**Rebecca Kenny**

General Counsel

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