



24 November 2016

Bob Smith  
Right to Know

By email: [foi+request-2761-8d441d49@righttoknow.org.au](mailto:foi+request-2761-8d441d49@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 16/11/01635

File Number: ADF2016/72474

Dear Mr Smith

**Acknowledgement of Freedom of Information Access request**

This letter refers to an access request received under the *Freedom of Information Act 1982* (the FOI Act) on 21 November 2016, seeking access to:

*'information relating the criteria for Customs to ban the importation of a firearm by a firearms dealer or other legal importer with the intent of legal distribution to the licensed civilian market. My request primarily relates to firearms that are deemed to be of "military appearance" but have an action that is legal on category A or B licences in Australia States and Territories. A specific example of this is the Troy Defence, TROY Pump Action Rifle that was banned due to features that "substantially duplicate a military firearm". I would like information on what constitutes so called "military features" and why customs thinks it is appropriate to ban firearms on appearance but not action as this rifles action would deem it legal in all states and territories on a B licence. Furthermore I would like to know if there has been any discussion or movement on the TROY Pump Action Rifle's legal importation and if so what this is. If there are checklists for "military appearance" pistols, rifles and shotguns I request this be released in full. I further request the release on official documents that directly ban the TROY Pump Action Rifle from importation with justifiable reasons why it is the case. Finally I request the release of information on who determines if a firearm "substantially duplicate a military firearm", and what their qualification is to do so both in experience with firearms and knowledge with firearms and on an official level'*

Please note the request will be for obtaining access to document/s in possession of the agency, and therefore, questions which do not clearly identify a particular document will not be processed as part of this request.

Your request has been allocated FOI request number FA 16/11/01635. Please include your FOI request number in all correspondence with the Freedom of Information (FOI) Section.

**Timeframe for request**

The statutory time frame provided under the FOI Act for processing requests is a standard 30 calendar days. Due to the unprecedented number of requests currently being received by the Department, our processing times have increased.

We appreciate your patience and understanding during this busy time and we will endeavour to finalise your request as soon as possible. Although we endeavour to have all requests finalised within the statutory timeframes, this is not practicable at this time. Requests that are outside the processing timeframes under the FOI Act will still continue to be processed by the Department.

FOI requests will generally be processed in the order that they are received. As the number of cases on-hand continues to increase, we are unable to give you an exact date for the finalisation of your request. In some cases where a request is specific and is seeking to access a single document the Department may process this type of request within the 30 day timeframe.

**Request for an extension of time**

For this reason the Department seeks your agreement (under s.15AA of the FOI Act) to extend the timeframe for the processing of your request by 30 days. You may confirm your agreement to the extension of time by writing to the Department at [foi@border.gov.au](mailto:foi@border.gov.au)

If you agree to the extension of time please advise the Department within 3 days from the date of this letter. If you are unable or unwilling to provide an extension of time you are not required to respond to this letter.

**Contacting the FOI Section**

If you wish to discuss your access request you may contact the FOI Section using the details provided below.

**Contacting the Department**

You can contact us with an enquiry in a number of ways including by email, through our website; by telephone, through our Service Centres or offices around the world, or in person. In Australia you can call 13 18 81 between 9 am and 4 pm Monday to Friday. Details on submitting a webform, or contacting our offices outside Australia are available on our website at [www.border.gov.au](http://www.border.gov.au).

Yours sincerely

FOI Officer  
Freedom of Information Section  
Information Management Branch | Corporate Services Division  
Corporate Group  
Department of Immigration and Border Protection  
E: [foi@border.gov.au](mailto:foi@border.gov.au)