



Australian
Competition &
Consumer
Commission

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

Our ref: #1002176
Contact officer: William Herron
Contact phone: 02 6243 1244

tel: (02) 6243 1111
fax: (02) 6243 1199

28 February 2017

www.accc.gov.au

Mr James Smith

Sent via email to: foi+request-3076-6ab31cb1@righttoknow.org.au

Dear Mr Smith

Acknowledgment of request for access under the *Freedom of Information Act 1982 (Cth)*

The Australian Competition and Consumer Commission (ACCC) acknowledges receipt of your email of 16 February 2017 requesting, under the *Freedom of Information Act 1982 (Cth)*, to the following:

'I request the document(s) which describe the data provided to the external organisation(s) responsible for conducting the ballot(s) for all Enterprise Agreements put to staff for a vote.'

The scope of this request is limited only to those ballots undertaken for enterprise agreements which were proposed to take effect after 30 June 2014.

The document shall describe the data given to the ballot agent. For example, employee name, employee identification number, employee email address, etc. I exclude the data for specific employees here; I am only after the 'meta-data'.'

I refer to our email dated 22 February 2017 in which we advised you of our interpretation of the scope of your request and asked for your response by 23 February 2017. As we did not receive a reply, we have interpreted your request as foreshadowed, seeking access to:

'documents which record categories of data provided by the ACCC to external ballot agents responsible for conducting ballots for enterprise agreements proposed to take effect after 30 June 2014 which were put to staff for a vote.'

Timeframe for processing your request

The ACCC has 30 days to process your request, beginning 16 February 2017. This timeframe may be extended by the ACCC where:

- (a) charges are applied, and/or
- (b) consultation with third parties is necessary.

Charges

If the ACCC decides that you should pay a charge to process your request, we will notify you of the likely cost of processing your request and your options if you disagree. The statutory timeframe is placed on hold from when this is sent to you and resumes at a later time.

We will notify you of any charges in relation to your request as soon as practicable.

Consultation with third parties

The ACCC may be required to consult with businesses or individuals (third parties) where you have sought information about those third parties. The Act grants an extra 30 days processing time for the ACCC to undertake this consultation. You will be advised if we extend the timeframe to allow third party consultation.

Decision

A decision maker will assess the documents (if any) to decide if we can release them, or if they are exempt from release. We will send you the decision and notify you of your review rights.

We will only release documents once any applicable processing charge is paid.

If we cannot locate any documents that are covered by the scope of your request, we will advise you of this and your review rights.

Publication of documents released under FOI

Material released under FOI may be published on our website unless we consider it unreasonable to do so.

If you have any questions regarding the above, please contact me on (02) 6243 1244.

Yours sincerely



Sonya Petreski

FOI Administration Assistant
ACCC Legal Group

Sent by email 28/02/2017