



ASIC

Australian Securities & Investments Commission

27 April 2017

Mr Phillip Sweeney

By email to : foi+request-3421-01e58ec7@righttoknow.org.au

Dear Mr Sweeney,

Request under the *Freedom of Information Act 1982* for access to documents

I refer to your request under the Freedom of Information Act 1982 (FOI Act) received by the Australian Securities and Investments Commission (ASIC) on 17 April 2017, in which you state the following:

In a media report in August 2016 the following statement was made concerning Senator Williams:

"Williams, whose re-election to the upper house was this week confirmed, told Fairfax Media that he would relaunch the Senate inquiry into life insurance that was announced before the election – but would broaden it to look at life insurance deals in super and the role of trustees."

This statement prompted a letter dated 22 August 2016 to be sent to the Chairman of ASIC with the title "Senate Inquiry - New Terms of Reference".

Your FOI request seeks a copy of the letter dated 22 August 2016 which was sent to the Chairman of ASIC (the August letter). You state that the purpose of the request is "to ensure that this letter has not been lost or misfiled by ASIC".

Administrative release

Section 3A(2)(b) of the FOI Act states that it is not the intention of Parliament in enacting the FOI Act to limit the power of agencies to give access to documents, whether or not access to the documents has been requested under section 15 or to prevent or discourage agencies from doing so.

As the FOI Act is not intended to restrict the circumstances in which government information can be released, it is open to an agency, after receiving an FOI request, to provide access to the documents sought in that request on an administrative basis.

I note that you are the author of the August letter. In the circumstances I have decided that it is appropriate to provide you with access to the document on an administrative basis.

A copy of the August letter is attached.

As you have been provided with administrative access to the August letter your FOI request dated 17 April 2017 will be regarded as withdrawn.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mirijana Soldatic', with a long horizontal flourish extending to the right.

Mirijana Soldatic
FOI Coordinator, Chief Legal Office
Australian Securities and Investments Commission