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16 April 2018

www.accc.gov.au

M Pool

Via email to: foi+request-4378-c3a858c0@righttoknow.org.au

Dear M Pool

Withdrawal of freedom of information request

I refer to your email dated 22 March 2018 in which you request access, under the *Freedom of Information Act 1982* (Cth), to the following:

'access to email correspondence between the Chairman of the ACCC, Mr Rod Sims, and the Australian Public Service Commissioner, Mr John Lloyd (in his capacity as Public Service Commissioner or otherwise), between the period of 8 December 2014 to the date of this application.

I wish to revise the scope of my request by agreeing to the ACCC excluding:

- i) attachments to any relevant emails; and*
- ii) all but the last email in email chains/threads'*

As you have not agreed to pay the charges or provided notice as required under s.29 of the FOI Act, your FOI request is withdrawn.

In our letter of 14 March 2018, we advised you of the cost estimate for processing your request. More than 30 days has elapsed since we sent that letter and we have not received a response from you.

Section 29 of the FOI Act states:

- (1) Where, under the regulations, an agency or Minister decides that an applicant is liable to pay a charge in respect of a request for access to a document, or the provision of access to a document, the agency or Minister must give to the applicant a written notice stating:
 - (a) that the applicant is liable to pay a charge; and ...

- (f) that the **applicant must, within the period of 30 days, or such further period as the agency or Minister allows**, after the notice was given, notify the agency or Minister in writing:
- (i) of the applicant's agreement to pay the charge; or
 - (ii) if the applicant contends that the charge has been wrongly assessed, or should be reduced or not imposed, or both — that the applicant so contends, giving the applicant's reasons for so contending; or
 - (iii) that the applicant withdraws the request for access to the document concerned; and
- (g) that if the applicant fails to give the agency or Minister such a notice within that period or further period, the request for access to the document will be taken to have been withdrawn.

Yours sincerely



Will Herron

FOI Coordinator
ACCC Legal Group

Sent by email 16/04/2018