



Australian Government

Department of Broadband,
Communications and the Digital Economy

our reference: FOI 26-1213
your reference: foi+request-44-a8c2ac83@righttoknow.org.au

Dear Mr Newton

Freedom of Information Request: 26-1213

I refer to your correspondence received by the Department on 17 January 2013 requesting access under the *Freedom of Information Act 1982 (the FOI Act)*. Your request states:

'Documents released under FOI in late 2012 indicate that DBCDE contracted out development of "Cybersafety Help Button" applications for various platforms to third party software developers.

I request disclosure under the Freedom of Information Act of source code delivered to the Commonwealth pursuant to relevant software development agreement.'

I am authorised by the Secretary under subsection 23(1) of the FOI Act to make decisions about access to documents.

A thorough search was undertaken of electronic and hard copy records of the Department for documents falling within the scope of your FOI request, and the Department has enquired with the relevant departmental staff as to their knowledge of any documents.

The Department does not hold any documents falling within the scope of your request. The installation files required to download the Help Button have been loaded onto the Department's servers. The Department does not require the source code to run the Help Button application.

Under section 24A of the FOI Act, an agency or Minister may refuse a request for access to documents if all reasonable steps have been taken to find the documents and the agency or Minister is satisfied that the documents do not exist. As a result, I have decided to refuse your FOI request under section 24A of the FOI Act.

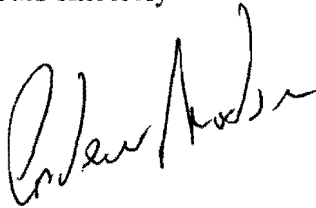
This decision is subject to review. If you are dissatisfied with the decision you may do either of the following:

- apply for an internal review of the decision pursuant to section 54 of the FOI Act. The application must be made in writing within 30 days of the date of this letter; or

- apply to the Australian Information Commissioner for a review of the decision pursuant to section 54L of the FOI Act. The application must be made in writing within 60 days of the date of this letter.

The Office of the Australian Information Commissioner's *FOI Fact Sheet 12 -Your Review Rights* is at **Attachment A**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Madsen', written in a cursive style.

Andrew Madsen
Assistant Secretary, Governance Branch
Corporate and Business Division

18 February 2013