



Australian Government
Australian Office of Financial Management

16 August 2019

FOI ref: 2536

Steven

By email: foi+request-5527-bf87f93f@righttoknow.org.au

Dear Steven

Freedom of Information Request - Decision

I refer to your request on 22 July 2019, for access to documents under the *Freedom of Information Act 1982* (the **FOI Act**). We have taken your document request to be for:

documents that outline the process the treasury department uses to create the Bonds that the treasury department exchanges with the reserve bank of Australia in exchange for money borrowed as public debt.

I am an authorised decision maker under section 23 of the FOI Act.

The Department of the Treasury (the **Treasury**) receives requests submitted on behalf of the Australian Office of Financial Management (**AOFM**). As your request relates to the work of AOFM it has been sent to us for processing.

This is because Treasury does not create or issue Australian Government Bonds (**AGBs**). Government debt issuance is undertaken by the AOFM on behalf of the Commonwealth of Australia.

Decision

The AOFM does not hold documents within the scope of your request. I am therefore refusing your request under section 24A(1) of the Act.

The AOFM neither issues nor sells bonds to the Reserve Bank of Australia (**RBA**). Therefore, the AOFM does not borrow money from the RBA as suggested by your statement.

However, information about the AOFM and the issuance of AGBs, can be found on the AOFM website - www.aofm.gov.au.

The authority and procedures through which the AOFM issues government debt securities (bonds) can be found in Information Memoranda available for perusal on the AOFM website. To view the Information Memorandum for Treasury Bonds go to:

<https://www.aofm.gov.au/sites/default/files/2019-07-26/Treasury-Bond-Information-Memo-July-2019.pdf>

The authority to issue is identified in Section 1.3.of the Information Memorandum

The process by which the AOFM issues into financial markets via tenders is explained in Section 4.0 of the Information Memorandum.

The Commonwealth Act from which the AOFM derives authority to issue bonds into the financial markets is the Commonwealth Inscribed Stock Act 1911 (CIS Act1911). This can be viewed on the Federal Register of Legislation website at <https://www.legislation.gov.au/Details/C2016C01089>

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely



Rob Nicholl

Chief Executive Officer

Australian Office of Financial Management

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

Application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

Application for a review of the decision should be addressed to:

FOI Team
The Treasury
Langton Crescent
PARKES ACT 2600

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.