



Mr Mark Diamond

Reply to: GPO Box 4889
Sydney NSW 2001

By email;
foi+request-600-bdbf46e0@righttoknow.org.au

Our reference: 1-5FK9CHO
Contact officer: Mark McGilchrist
Phone: (02) 9374 8180
Fax: (02) 9374 2698

10 June 2014

Decision regarding your Freedom of Information request

Dear Mr Diamond

RE: FOI Application 1-5FK9CHO

I refer to your request of 26 April 2014 under the Freedom of Information Act 1982 (FOI Act) seeking access to the following documents:

The Australian Government Tender System (<http://www.austender.gov.au>) reports contract CN137512 between the Australian Taxation Office and PriceWaterhouseCoopers for the provision of "a Threat Risk Assessment (TRA) and Privacy Impact Assessment (PIA) on the design of the Standard Business Reporting (SBR) Authentication Solution"

I request access to a copy of the report of the privacy impact assessment. If the TRA and PIA were provided in a combined report, I request access only to that part of the report relating to the PIA. I note that the contract report on AusTender states that no confidentiality issues attached either to the contract itself or to the contract outputs.

I am an officer authorised under section 23 of the FOI Act to make decisions regarding access to documents.

I have identified this document relevant to your request. I have decided to release in full the document as set out in the attached *Schedule of documents*.

I notified you on 19 May 2014 that I would consult with the authors (PWC) of this document under Section 27 of the FOI Act on whether they had any submissions regarding their business affairs. At that time I notified you that this granted a 30 day extension to the review time, and that the new due date was 27 June 2014.

Statement of Reasons

In reaching my decision I relied on the following documentary evidence

- contents of documents requested
- FOI Act
- PS LA 2005/5 Provision of third party information under the Freedom of Information Act 1982
- LA PS 2005/6 Release of employees' names under the Freedom of Information Act 1982
- PS CM 2013/02 Information pro-disclosure
- Information Commissioner guidelines
- Consultation with PWC under s27A.

■ Discussion with the ATO AUSKey Implementation team

AUSKey was implemented in May 2010 and holds Department of Finance Public Key Infrastructure (PKI) Gatekeeper accreditation. Further information supporting AUSKey's privacy requirements for accreditation by the PKI Gatekeeper can be found on the following webpages:

- AUSKey's condition of use - <https://abr.gov.au/AUSKey/Help-and-support/AUSKey-Terms-and-Conditions/Conditions-of-use---AUSKey/>
- AUSKey's Privacy Statement - <https://abr.gov.au/General-information/Privacy/Privacy-statement---AUSKey/>
- AUSKey's Certification Practice Statement – <https://abr.gov.au/AUSKey/Help-and-support/AUSKey-Terms-and-Conditions/AUSKey-Certification-Practice-Statement/>
- Certificate Policy - AUSKey - <https://abr.gov.au/AUSKey/Help-and-support/AUSKey-Terms-and-Conditions/Certificate-Policy---AUSKey/> and
- Certificate Policy – Device - <https://abr.gov.au/AUSKey/Help-and-support/AUSKey-Terms-and-Conditions/Certificate-Policy---Device-AUSKey/>

Fees and Charges

I am an officer authorised under section 23 of the FOI Act to make decisions regarding access to documents. As per Part 4, of the Office of the Australian Information Commissioner guidelines, I have made no charge for access to this information.

Your rights of review

If you are unhappy with my decision, you can either request an internal review or request an independent review by the Australian Information Commissioner. You can also apply to the Australian Information Commissioner after an internal review has been conducted.

A request for an internal review needs to:

- be in writing
- be sent to us within 30 days of being notified of my decision, and
- be sent, quoting reference number **1-5FK9CHO** via:
 - email at foi@ato.gov.au or
 - mail to:
Freedom of Information
Australian Taxation Office
GPO Box 1797
MELBOURNE VIC 3001

The internal review will be done by an officer who did not make the initial decision.

A request for an independent review by the Australian Information Commissioner needs to:

- be sent within 60 days of being notified of my decision
- include a copy of this notice
- include an address where notices can be sent (eg your email address), and
- be sent to:
GPO Box 2999
Canberra City
ACT 2601

For further details regarding the Information Commissioner visit www.oaic.gov.au

You may also apply to the Information Commissioner if you have not been informed of the outcome of an internal review within 30 days.

Complaints

Any complaint about the processing of your FOI request can be forwarded to the Information Commissioner. The complaint needs to be in writing and identify the agency against which the complaint is made. There is no particular form required to make a complaint, but the complaint should set out the grounds on which you consider the action should be investigated. The Information Commissioner can be contacted on 1300 363 992 for the cost of a local call.

The Commonwealth Ombudsman also has the power to investigate the ATO's actions and make recommendations where appropriate. The Ombudsman will consult with the Australian Information Commissioner before deciding who should investigate your complaint.

Yours faithfully

Mark Mc Gilchrist

Mark McGilchrist
Legal Officer
General Counsel

FREEDOM OF INFORMATION ACT 1982
SCHEDULE OF DOCUMENTS

Applicant: Mark Diamond
File Ref No: 1-5FK9CHO

Doc No.	Pages	Date	Type of Doc	Author	Description of Contents	Material Findings of Fact	Decision	Section	Reasons for Exemption
1	21	Nov 2008	Report	PwC	SBR Authentication DRAFT Privacy Impact Assessment Phase 1: High Level Design November 2008		Release in full		