



Australian Government

AUSTRAC

Reference: PIAT-3091

19 August 2020

Mr John Smith

Sent by email to: foi+request-6408-a2982548@righttoknow.org.au

Dear Mr Smith

Freedom of Information Request Decision

The Australian Transaction Reports and Analysis Centre (AUSTRAC) refers to your Freedom of Information request (FOI request) that was received on 18 June 2020, in which you, sought access to documents under the provisions of the *Freedom of Information Act 1982* (FOI Act), that you understood to be held by AUSTRAC.

The documents you requested are:

"I am seeking a copy of the contract with commonwealth tender ID CN315697, between ATRAC and Launch Recruitment Pty Ltd, publish date 26-Feb-2010."*

AUSTRAC conducted searches within our databases to locate the document in scope. These searches resulted in 1 document identified within scope of your request.

I examined the document and have decided to release it to you in part, with information irrelevant to the scope of the request redacted under s 22(1)(a)(ii) of the FOI Act.

Section 26 of the FOI Act requires AUSTRAC to provide a statement of reasons in support of a decision. My reasons for this decision are set out in **Attachment A**.

The FOI Act provides a number of avenues for review if you are dissatisfied with any aspect of this decision. Your review rights are set out in **Attachment B**.

I have enclosed a copy of the released document in accordance with the FOI Act. If you have any questions or require further information, please contact the decision maker via email at info_access@austrac.gov.au

Yours sincerely



Brett Fouché
Authorised Decision Maker
AUSTRAC

Enclosures

Attachment A – Statement of Reasons

Attachment B – Review Rights

Statement of Reasons

I, Brett Fouché, am an officer authorised under s 23 of the FOI Act to make a decision in relation to your request. The following is my decision and the reasons for that decision.

Overview

Searches on AUSTRAC's systems identified one document in scope.

Decision

AUSTRAC identified Launch Recruitment Pty Ltd as being an affected third party to this FOI request. AUSTRAC formally consulted Launch Recruitment pursuant to s 27 of the FOI Act to obtain their views on potential release of the document. Launch Recruitment did not object to the release of the document in scope.

After examining the document in scope, I have decided to release the document to you in part. I have not identified any relevant and applicable exemptions.

However, having examined the document, I am satisfied that the document contains information reasonably regarded as being irrelevant to this request. Those particular details are limited to non-Senior Executive Staff (SES) names, their signatures and a residential address.

The Office of the Australian Information Commissioner guidelines advises agencies to consider preparing an edited copy of a document by deleting information that would reasonably be regarded as irrelevant to the request. Therefore, I have decided to redact the non-SES names, signatures and residential address that are not relevant to the scope of the request under sub-paragraph 22(1)(a)(ii) of the FOI Act.

Evidence/Material on which my findings are based

In reaching my decision to release the document in part, I relied on the following documentary evidence:

- *Freedom of Information Act 1982*;
- Guidelines issued by the Australian Information Commissioner;
- the scope of the request received by AUSTRAC from you on 18 June 2020; and
- the document identified to be within the scope of the request.

Review Rights

The following review rights apply.

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision refusing to grant access to documents. An 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; however, it would assist the decision maker if the application grounds on which it is considered that the decision should be reviewed were set out.

Under s 53A of the FOI Act you may have ground for review under s 54 if you can establish that there are other documents held by AUSTRAC which have not been released.

Applications for review of the decision should be addressed to info_access@austrac.gov.au or via mail to:

Australian Transaction Reports and Analysis Centre
Freedom of Information
PO BOX 5516
WEST CHATSWOOD NSW 1515

It is preferred you seek internal review before seeking review of the decision by the Australian Information Commissioner.

Office of the Australian Information Commissioner

One of the three primary functions of the Office of the Australian Information Commissioner is the oversight of the Freedom of Information Act 1982 and review of decisions made by agencies and ministers under that Act. If you are dissatisfied with the result of an FOI request, you may seek an Information Commissioner (IC) review.

IC review applications can be made to enquiries@oaic.gov.au or via mail to:

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

For further information about IC reviews please refer to the OAIC website.

Administrative Appeals Tribunal

An application may be made to the Administrative Appeals Tribunal (AAT) after the OAIC has made a decision. The AAT may also review a decision by the OAIC not to undertake a review. An application must be submitted to the AAT within 28 days of being notified of the decision by the OAIC. The AAT can be contacted on 1300 366 700.

Complaints

If you are not satisfied with the way AUSTRAC has processed your Freedom of Information request, you can complain to the OAIC. A complaint must be made in writing and must identify AUSTRAC as the agency that made the decision. There is no particular form required to make a request, however, the complaint should set out the grounds on which it is considered the action taken in relation to the FOI request should be investigated. Complaints can be made to the OAIC at the address listed above.

For up to date information please visit the OAIC website at <https://www.oaic.gov.au>