



Australian Government
Department of Foreign Affairs and Trade

FOI Ref: 1406F847
File No: 14/18563
10 July 2014

Mr Brendan Molloy
Councillor
Pirate Party Australia
foi+request-643-615d2227@righttoknow.org.au

Dear Mr Molloy

Re: Freedom of Information (FOI) Request

I refer to your letter of 2014 in which you seek access under the provisions of the *Freedom of Information Act 1982* (FOI Act) to:

“documents, including advice, that contributed to the development of the view that the implementation of the Korea-Australia Free Trade Agreement would require amendments to the Copyright Act 1968 as per paragraph 17 of the National Interest Analysis.”

I am authorised under section 23 of the FOI Act to make decisions, and have been appointed to be the decision-maker on your request in line with departmental procedures.

I advise that a thorough search of the Department's file records has failed to identify any document relevant to your request. As your request relates to domestic implementation of the element of KAFTA in relation to the Copyright Act this is the responsibility of the Attorney-General's Department. Therefore DFAT are unable to meet your request in accordance with the provisions of section 24A(1)(b)(ii) as DFAT holds no documents relevant to your request.

Please find your rights of review outlined below.

Internal review

Under the provisions of section 54 of the FOI Act, you are entitled to request a review of my access refusal decision. Your request should be made in writing and sent within 30 days of receipt of this letter addressed to:

Director
Freedom of Information and Privacy Law Section
Department of Foreign Affairs and Trade
R G Casey Building
John McEwen Crescent

BARTON ACT 0221

Australian Information Commissioner

Under the provisions of section 54 of the FOI Act, you are entitled to request a review by the Australian Information Commissioner of my access refusal decision. You may also make a complaint to the Australian Information Commissioner under section 70 on the Department's performance of its functions or the exercise of power under the FOI Act.

Your request for review or complaint should be addressed to:

Office of the Australian Information Commissioner
GPO Box 2999
CANBERRA ACT 2601
Email: enquiries@oaic.gov.au

Telephone: 1300 363 992
Fax: (02) 9284 9666

Complaints to the Commonwealth Ombudsman

You may complain to the Ombudsman concerning actions taken by an agency in the exercise of its powers or, more specifically, the performance of its functions under the FOI Act. There is no fee for making a complaint. The Ombudsman will conduct an independent investigation of your complaint.

You may complain to the Ombudsman by calling or writing to:

Commonwealth Ombudsman
Level 5, Childers Square,
14 Childers Street
Canberra City ACT 2601
ombudsman@ombudsman.gov.au

Telephone: 1300 362 072
Fax: (02) 6276 0123

Should you have any queries regarding this matter please contact your FOI case officer Lindy Judge on (02)6261 1701 or by email to foi@dfat.gov.au

Yours sincerely



Ada Cheung
a/g Director
Corporate Legal Branch
Legal Division
Freedom of Information and Privacy Law Section