



**ASIC**  
Australian Securities &  
Investments Commission

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and Investments Commission**

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Phillip Sweeney

By email: [foi+request-6594-4e815515@righttoknow.org.au](mailto:foi+request-6594-4e815515@righttoknow.org.au)

4 September 2020

Dear Mr Sweeney

**Freedom of Information Request No. FOI 158-2020**

**Notice of Extended Timeframe (Third Party Consultation)**

I refer to your request dated 12 August 2020 under the *Freedom of Information Act 1982 (FOI Act)* in which you seek access to documents in the possession of the Australian Securities and Investments Commission (**ASIC**).

Certain documents that fall within the scope of your request contain personal information about another individual and information concerning the business, commercial or financial affairs of an organisation. Therefore, ASIC is required to consult with those third parties (under sections 27 and 27A of the FOI Act) before making a decision on the release of these documents.

The consultation provision under:

- section 27 of the FOI Act applies when a decision-maker forms the view that the person or organisation concerned may wish to contend that the requested documents are exempt because their release would disclose trade secrets, commercially valuable information or that it may adversely affect their business or financial affairs.
- section 27A of the FOI Act applies when a decision-maker forms the view that the individual concerned may wish to contend that the requested documents are exempt because their release would constitute an unreasonable disclosure of their personal information.

For these reasons, I have written to the affected third parties to invite them to make a submission regarding the release of the documents. I will take into consideration comments received from them noting that the final decision about whether the documents are exempt rests with me as the decision maker.

Pursuant to section 15(6) of the FOI Act the period for processing your request has now been extended by 30 days to allow ASIC time to undertake this consultation process. You should therefore expect a decision to be made by 12 October 2020.

If you have any questions or wish to discuss, please contact me on [Mabel.Say@asic.gov.au](mailto:Mabel.Say@asic.gov.au) or (02) 9911 5269.

Yours sincerely,

MS.

**Mabel Say**

Freedom of Information Officer

(Authorised decision maker under section 23(1) of the FOI Act)