



ASIC
Australian Securities &
Investments Commission

**Australian Securities
and Investments Commission**

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10 November 2020

Phillip Sweeney
By email only: [foi+request-6834-
d7650cf3@righttoknow.org.au](mailto:foi+request-6834-d7650cf3@righttoknow.org.au)

Dear Mr Sweeney

Freedom of Information Request No. FOI 208-2020

Consultation under s27A of the FOI Act

I refer to your request received by us on 25 October 2020 under the *Freedom of Information Act 1982 (FOI Act)* in which you have sought information from the Australian Securities and Investments Commission (**ASIC**).

Your email seeks access to the following:

The ASIC Chairman, James Shipton, and Deputy Chairman, Daniel Crennan, are required to make 6-monthly written disclosures of their personal business interests, both direct and indirect, to the Responsible Minister as required by Section 123 of the ASIC Act 2001 and related ministerial instructions.

The documents I seek are copies of:

- i. the written disclosures of James Shipton to the Responsible Minister for the period 1 February 2018 to the present; and*
- ii. the written disclosures of Daniel Crennan to the Responsible Minister for the period 16 July 2018 to the present.*

As certain documents that fall within your request contain personal information about another individual, ASIC is required to consult with the person concerned (under section 27A of the FOI Act) before making a decision on the release of these documents.

The consultation provision under 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 this reason, I have written to the affected third party to invite them to make a submission regarding 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 24 December 2020.

If you have any questions or wish to discuss your request, please email me at Justin.Frank@asic.gov.au .

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'J. Frank', with a small flourish at the end.

Justin Frank

Lawyer, FOI & Privacy

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