



ASIC
Australian Securities &
Investments Commission

**Australian Securities
and Investments Commission**

Office address (inc courier deliveries):
Level 7, 120 Collins Street,
Melbourne VIC 3000

Mail address for Melbourne office:
GPO Box 9827,
Brisbane QLD 4001

Tel: +61 1300 935 075
Fax: +61 1300 729 000

www.asic.gov.au

9 November 2020

Phillip Sweeney

By email: foi+request-6836-5ce2750d@righttoknow.org.au

Dear Mr Sweeney,

Acknowledgement of Freedom of Information Request - Ref 211-2020

I refer to your email received on 26 October 2020 in which you seek access to the following under the *Freedom of Information Act 1982* (Cth) (**FOI Act**):

Prior to 1 July 2019 ASIC Commissioners, including the Chairman, and ASIC staff were subject to the APS Code of Conduct {Section 13 of the Public Service Act 1999}.

Subsection 15(3) of the Public Service Act 1999 provides

(3) An Agency Head must establish written procedures in accordance with this section for determining:

(a) whether an APS employee, or a former APS employee, in the Agency has breached the Code of Conduct (including by engaging in conduct referred to in subsection (2A)); and

(b) the sanction (if any) that is to be imposed under subsection (1) on an APS employee in the Agency who is found to have breached the Code of Conduct (including by engaging in conduct referred to in subsection (2A)).

The document I seek is a copy of the written procedures in force up until 1 July 2019 pursuant to Subsection 15(3) of the Public Service Act 1999.

The 30-day statutory time period for processing your request commenced on the day after the day on which your request was received (s 15(5) of the FOI Act). The due date to issue a decision on your request is therefore 25 November 2020. The period of 30 days may be extended if we need to consult third parties or for other reasons. We will advise you if this happens.

Please note that information released under the FOI Act may later be published online on the ASIC disclosure log, subject to certain exceptions (for example, personal or business information will not be published where this would be unreasonable).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'MS', with a long horizontal stroke extending to the right.

Mirijana Soldatic
Senior Manager, FOI
Australian Securities and Investments Commission