



**Australian Government**  
**Department of Industry, Science,  
Energy and Resources**

Our ref: 67910

Mr Harry Witherspoon

By email: [foi+request-6896-13a870bf@righttoknow.org.au](mailto:foi+request-6896-13a870bf@righttoknow.org.au)

Dear Mr Witherspoon

**Freedom of Information Act 1982 – Notice of Internal Review Decision**

I refer to your correspondence received by the Department of Industry, Science, Energy and Resources (the department) on 13 January 2021 requesting an internal review of a decision dated 13 January 2021 (original decision) under section 54 of the *Freedom of Information Act 1982* (the FOI Act).

A copy of the original decision is at **Attachment A**.

**Internal Review Decision**

As Acting Chief Operating Officer for the period 4 to 15 January 2021, I was an authorised internal review decision maker under section 23 of the FOI Act. I was required to make a fresh decision on behalf of the department and I was not bound by the original decision.

I was satisfied that the documents subject to your FOI request contained material which is exempt under sections 47F(1) and 22 of the FOI Act. Therefore, I agreed with the reasoning provided in the original decision and on 14 January 2021, in my capacity as Acting Chief Operating Officer, I decided to affirm the original decision.

**Review rights**

If you are dissatisfied with any part of my decision, your review rights are set out in **Attachment B**.

Please do not hesitate to contact the FOI team by e-mail at [FOI@industry.gov.au](mailto:FOI@industry.gov.au), if you require any further clarification.

Yours sincerely



Nathan Hannigan  
General Manager, People Branch  
Corporate and Digital Division  
February 2021

**Enclosures**

Attachment A – Original Decision  
Attachment B – Review Rights

**industry.gov.au**

Industry House - 10 Binara Street, Canberra City, ACT 2601  
GPO Box 2013 Canberra ACT 2601 ABN: 74 599 608 295

**REVIEW RIGHTS**

**Review by the Australian Information Commissioner**

Section 54L of the FOI Act gives you the right to apply for review of my decision by the Information Commissioner.

An application for review by the Information Commissioner must be made within 60 days of receipt of this notice. There is no fee for review by the Information Commissioner.

You must apply in writing and you can lodge your application in one of the following ways:

Online: [www.oaic.gov.au](http://www.oaic.gov.au)

Post: GPO Box 5218, Sydney NSW 2001

Fax: +61 2 9284 9666

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

An application form is available on the website at [www.oaic.gov.au](http://www.oaic.gov.au). Your application should include a copy of this notice and your contact details. You should also set out why you are objecting to the decision.

**Complaints to the Australian Information Commissioner**

You may complain to the Australian Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. The Australian Information Commissioner will make a completely independent investigation of your complaint. A complaint to the Australian Information Commissioner must be made in writing and can be lodged online using the Information Commissioner Complaint Application form on the Australian Information Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au)