



Our ref: 67883

To Nguyen
via Right to Know

By email: foi+request-6947-88863d4e@righttoknow.org.au

Dear To

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 9 January 2021 requesting an internal review of a decision dated 8 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

I am an authorised internal review decision maker under section 23 of the FOI Act. I am required to make a fresh decision on behalf of the department and I am not bound by the original decision.

I am satisfied that reasonable searches have been undertaken by the department to locate documents relevant to the scope of your request and the documents requested do not exist. I agree with the reasoning provided in the original decision and I have decided to affirm the original decision.

In reaching my decision, I relied on the following:

- *Freedom of Information Act 1982*;
- Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act;
- your correspondence of 4 December 2020 outlining the particulars of your FOI request;
- the department's original decision of 8 January 2021;
- your correspondence of 9 January 2021 outlining the particulars of your request for an internal review;
- advice from departmental officers; and
- the Guidelines issued by the Office of the Australian Information Commissioner under section 93A of the FOI Act (**FOI Guidelines**).

Review rights

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

industry.gov.au

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

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

Yours sincerely



Nathan Hannigan
A/g Head of Division
Corporate & Digital
January 2021

Enclosures

Attachment A – Original Decision

Attachment B – Review Rights

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

Post: GPO Box 5218, Sydney NSW 2001

Fax: +61 2 9284 9666

Email: enquiries@oaic.gov.au

An application form is available on the website at 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

