17 February 2021

Ben Frengley
By email: foi+request-6969-a798d8c53@righttoknow.org.au

Re: **Reference 2021-00384**
Application for Documents under the Freedom of Information Act 1982

Dear Mr Frengley

Purpose

The purpose of this letter is to notify Australia Post's decision in response to your request for access to documents under the *Freedom of Information Act 1982* (Cth) (**"FOI Act"**) received on 10 December 2020.

Your request

I request the following documents relating to the Trusted Digital Identity Framework's accreditation process (as set out in the Trusted Digital Identity Framework specification) for the accredited identity services (identity providers and/or identity exchanges) provided by the Australian Postal Corporation.

1. *I request the following documents (as set out in TDIF v1.3, Accreditation Process) for the period beginning January 2018 and ending June 2020, inclusive:*
    - *Assessor Findings reports*
    - *Reports covering technical integration testing*
    - *Assessment Reports provided as part of annual assessments*
    - *Exemption requests and related evidence*

2. *I also request the following documents (as set out in TDIF Release 4, in the following documents: 03 - Accreditation Process; 04 - Functional Requirements; 07 - Annual Assessment) for the period beginning September 2019 and ending at the time of this request being lodged, inclusive:*
    - *Statements of Applicability (03 - Accreditation Process)*
    - *Technical Test Reports (04 - Functional Requirements)*
    - *Privacy Impact Assessments conducted as part of the accreditation process (04 - Functional Requirements)*
    - *Functional Assessment Reports (04 - Functional Requirements)*
    - *Annual Assessment Reports (07 - Annual Assessment)*
    - *Exemption Requests and related evidence (03 - Accreditation Process)*

Address:
Freedom of Information
GPO Box 1777
Melbourne VIC 3001

Contact:
E foi@auspost.com.au

Decision

Your request is denied pursuant to section 7(2) of the FOI Act.

Reasons for Decision

Section 7

Australia Post believes the documents you have identified are exempt from disclosure under S. 7(2) of the FOI Act (commercial activities exemption).

Section 7(3) defines *'commercial activities'* in Part II of Schedule 2 as being:

   a.   *Activities carried on by an agency on a commercial basis in competition with persons other than governments or authorities of governments; or*
   b.   *Activities carried on by an agency, that may reasonably be expected in the foreseeable future to be carried on by the agency on a commercial basis in competition with persons other than governments or authorities of governments.*

Section 7(4) states that the reference to documents (in respect of particular activities) is to be read as a reference to *'documents received or brought into existence in the course of, or for the purposes of carrying on'* the commercial activities*.*

It is my view that any documents matching the description of your request were bought into existence in the course of and for the purposes of carrying on and supporting identity verification and related services that Australia Post carries on in competition with third parties.

Rights of Review

If you would like a review of this formal decision you have the right under law to seek either;
   (i)   An internal review by writing within 30 days of receiving this letter to Australia Post, FOI Review Officer, Legal Group, GPO Box 1777, Melbourne VIC 3001, or foi@auspost.com.au; or alternatively;
   (ii) Under s.54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

   (iii) online: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10
         email: foidr@oaic.gov.au
         post: GPO Box 5218 Sydney NSW 2001

Yours sincerely,

Anna Oliver
Freedom of Information Officer