

13 May 2021

Mr Philip Sweeney

By Email only: foi+request-7292-a3f7470c@righttoknow.org.au

Dear Mr Sweeney

Freedom of Information Request No. 070 - 2021
Notice of third-party consultation

I refer to your request dated 2 May 2021 under the *Freedom of Information Act 1982 (FOI Act)* in which you seek access to documents in the possession of the Australian Securities and Investments Commission (**ASIC**).

Your request seeks access to the following documents:

"copies of any documents provided by John Hempton to ASIC as part of this "schooling" engagement"

I have taken your request to be for any documents provided by Mr Hempton to ASIC as notes, papers or presentations to assist him in the communication of his perspective on the detection of frauds. Please advise me if this does not accurately describe the documents you are seeking.

As your request covers documents which contain business information in relation to third parties, ASIC is required to consult with those parties (under sections 27 of the FOI Act) before making a decision on the release of the documents you have requested.

For this reason, the period for processing your request has been extended by 30 days in order to allow us time to consult with the individuals concerned (section 15(6) of the FOI Act). The processing period for your request commenced on the day after your request was made and will now end on **1 July 2021**.

The consultation mechanism under section 27 applies when we believe the individual (or their representative) may wish to contend that the release of the information could reasonably be expected to unreasonably affect that person adversely in respect of his or her lawful business or professional affairs.

We will consider any comments we receive from the parties that we consult with but the final decision about whether to grant you access to the document you have requested rests with ASIC.

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 (For example, personal information will not be published where this would be unreasonable.)

If you have any questions, please contact the following officer:

Justin Frank
Lawyer, FOI & Privacy
justin.frank@asic.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to be 'J. Frank', written in a cursive style.

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