



16 August 2021

Mr Luke Bacon

Our ref: 2021/9755

**BY EMAIL ONLY:** [foi+request-7635-@xxx](mailto:foi+request-7635-@xxx)

Dear Mr Bacon,

**RE: FREEDOM OF INFORMATION ACT 1982 APPLICATION – Luke Bacon**

I refer to your request received by AMSA on 28 July 2021 in which you sought access to documents under the *Freedom of Information Act 1982* (the FOI Act). The request sought documents in relation to identification numbers for people arriving in Australia by boat. Specifically, your request sought

*“...I am writing to you to request documents relating to the introduction and use of Boat IDs: six character identification numbers given to people who come to Australia by boat...”*

This letter sets out my decision on your request for access. I am an authorised decision-maker under section 23 of the FOI Act.

**Timeframe for processing your request**

Your request was received by AMSA on 28 July 2021. The statutory period for processing your request is 30 days. The timeframe for processing your request therefore expires on 29 August 2021.

**Decision**

After taking all reasonable steps to locate relevant documents relating to your aforementioned request, I am satisfied that no such documents are in the possession of AMSA. I therefore resolve your application under s.24A(1) of the FOI Act on the basis that the requested documents do not exist.

I have consulted with the AMSA employees who are responsible for maintaining the AMSA databases that contain information of the nature you have sought. This consultation process included considering the subject matter of your request, the file and record management system used by AMSA, and identifying the individuals within AMSA who may be able to assist locating relevant documents.

Following this process, I am satisfied that AMSA does not possess any documents in relation to the introduction of identification numbers given to people arriving in Australia by boat as has been requested.

## Relevant material

In reaching my decision I referred to the following:

- the terms of your request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act
- advice from AMSA officers with responsibility for matters relating to the documents to which you sought access, and
- advice from AMSA's in-house legal team.

## Review Rights

You are entitled to seek review of this decision. **Attachment A** sets out your rights to apply for review if you are dissatisfied with my decision.

## Contacts

If you have any queries about this notice, please do not hesitate to contact AMSA's FOI team at [FreedomofInformation@amsa.gov.au](mailto:FreedomofInformation@amsa.gov.au).

Yours sincerely



**Grant Judson**  
**MANAGER SHIP INSPECTION & REGISTRATION**  
**OPERATIONS**

## **Attachment A - review rights**

If you are dissatisfied with this decision, you have certain rights of review available to you.

Firstly, under section 54 of the FOI Act, you may apply for an internal review of the decision. Your application must be made by whichever date is the later between:

- 30 days of you receiving this notice; or
- 15 days of you receiving the documents to which you have been granted access

An internal review will be conducted by a different officer from the original decision-maker. No particular form is required to apply for review although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned. An application for a review of the decision should be addressed to:

The Freedom of Information Officer  
Australian Maritime Safety Authority  
GPO Box 2181  
CANBERRA CITY ACT 2601

Tel: (02) 6279 5075

Email: [FreedomOfInformation@amsa.gov.au](mailto:FreedomOfInformation@amsa.gov.au)

If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

### **Review by the Australian Information Commissioner**

Alternatively, under section 54L of the FOI Act, you may seek review of this decision by the Australian Information Commissioner without first going to internal review. Your application must be made within 60 days of you receiving this notice.

The Australian Information Commissioner is an independent office holder who may review decisions of agencies and Ministers under the FOI Act. More information is available on the Australian Information Commissioner's website [www.oaic.gov.au](http://www.oaic.gov.au).

You can contact the Information Commissioner to request a review of a decision online or by writing to the Information Commission at:

GPO Box 2999  
Canberra ACT 2601

### **Complaints to Ombudsman or Australian Information Commissioner**

You may complain to either the Commonwealth Ombudsman or the Australian Information Commissioner about action taken by AMSA in relation to your request. The Ombudsman will consult with the Australian Information Commissioner before investigating a complaint about the handling of an FOI request.

Your enquiries to the Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)

Email [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

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

There is no particular form required to make a complaint to the Ombudsman or the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify AMSA as the relevant agency.