



7 February 2022

FOI ref: 3060

Mr Trent Morrison-Francis

By email: foi+request-8260-a2a2fcd2@righttoknow.org.au

Dear Mr Morrison-Francis

Freedom of Information Request – Decision

I refer to your request to the Treasury on 7 January 2022, for access under the *Freedom of Information Act 1982* (the **FOI Act**) to the following:

Please take this request for any documents that your department holds in relation to any "Exemptions" or "Wavers" as defined by the Webster Dictionary or socially accepted definitions of the words in the country of Australia to comply with any legislation that your office has powers, authority or manages under legislation for its management as a superannuation provider.

To remove any doubt we are asking for all schemes that Commonwealth Superannuation Corporation manages including

CSS

ABN: 19 415 776 361

RSE: R1004649

DFRDB

ABN: 39 798 362 763

Military Super

ABN: 50 925 523 120

RSE: R1000306

ADF Super

ABN: 90 302 247 344

RSE R1077063

ADF Cover

ABN: 64 250 674 722

The period for the request relates to all documents created on or after the 01st January 2017 by either your office and or the Commonwealth Superannuation Corporation (where practicable if your office is not the creator of the documents).

I am an authorised decision maker under section 23 of the FOI Act.

Decision

The Treasury holds no documents within the scope of your request. I am therefore refusing your request under section 24A(1) of the FOI Act.

I arranged for officers in my division to search Treasury records for material relevant to your request. These searches included contacting Treasury staff with relevant knowledge and searches of emails and the Treasury's file management systems. I am satisfied that no such documents exist.

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Hawkins', written in a cursive style.

Adam Hawkins
Assistant Secretary
Retirement, Advice and Investment Division

INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

An application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

An application for a review of the decision should be emailed to FOI@Treasury.gov.au.

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

An application for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.