



ASIC

Australian Securities & Investments Commission

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29 January 2015

**Mr Phillip Sweeney**

**Via email: [foi+request-848-6c4004fb@righttoknow.org.au](mailto:foi+request-848-6c4004fb@righttoknow.org.au)**

**Freedom of Information Request -  
Advice to Applicant of Consultation with Affected Third Parties**

I refer to your request dated 2 January 2015 in which you sought access to documents under the *Freedom of Information Act 1982* (FOI Act).

Certain documents which fall within the terms of your request contain information which is personal information about a person. Under the FOI Act this information may be exempt from release. For this type of information, the FOI Act makes provision under s27A for consulting with the affected person to obtain their views before a final decision is made on whether to release the documents. In deciding whether or not to release the documents, the FOI decision-maker must objectively consider all the relevant factors involved in relation to the application, including the views contained in any submission from an affected party.

Accordingly, today I wrote inviting an affected party to make submissions.

Under s15(6) of the FOI Act, the normal statutory time limit of 30 days for processing the application has been extended by a further 30 days, to enable the affected party to make submissions. You will be notified of my decision on your request as soon as possible and before 3 March 2015 which is the end of the extended time period.

Please note that in the event that I decide, contrary to the views of the affected party, to release the documents which are the subject of the consultation, access to these documents cannot be granted to you until the affected party has been given the opportunity to seek either an internal review (within ASIC) of my decision or to seek review of my decision by the Commonwealth Information Commissioner. The third party request for an internal review by ASIC must be made within 30 days of being told of my decision on release and we are then required to process that request for internal review within 30 days. I will inform you of any developments in this regard.

Yours faithfully

Paula O'Regan

Authorised Decision-maker pursuant to section 23(1) of the FOI Act