



25 August 2022

Steven Roddis
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Our Ref: FOI2223008.003

Dear Mr Roddis

FOI Application

I am writing in relation to your request, made under the *Freedom of Information Act 1982 (the FOI Act)*.

Acknowledgment

As required by section 15(5) of the FOI Act, I acknowledge receipt of your request and note you are seeking access to:

*“content of the message requesting those documents referenced [in **nbn** FOI1213-15]”.*

Decision-Making Period and Processing Charges

The processing period for this FOI request commences on 2 August 2022, being the day after receipt of your FOI application. The statutory period for processing an FOI request is generally 30 days.

Please also note that **nbn** may impose processing charges in relation to FOI requests. In view of the time necessary to locate the relevant information and make a decision regarding access to it, I have exercised my discretion to waive processing charges for this application.

nbn’s Commercial Activities Carve-out

I refer you to **nbn’s** commercial activities carve-out (**the CAC**), per [section 7\(3A\)](#) and [Part II of Schedule 2](#) of the FOI Act. Please be aware that documents that relate to **nbn’s** “commercial activities” are not subject to the operation of the FOI Act and would likely be exempt from release. The following link summarises and provides [general background information](#) concerning **nbn’s** commercial activities carve-out. That background document references two OAIC reviews that considered **nbn’s** CAC: the [Internode](#) Decision (in January 2012) and the [Battersby](#) Decision (in July 2013).

Disclosure Log Notification

In accordance with the FOI Act, **nbn** is required to publish documents provided to FOI applicants within 10 working days after release. The information you seek may be published in full (as released to you) or with some additional exceptions as per section 11C of the FOI Act. For further information, visit our [Disclosure Log](#) on **nbn’s** website.



Please feel free to contact me on (02) 9031 3022 if you have any questions, or if you would like to discuss your request.

Yours sincerely

Rohan Singh
Freedom of Information Officer