



22 December 2022  
FOI ref: 3213

Dale Webster  
By email: [foi+request-9579-b84ec474@righttoknow.org.au](mailto:foi+request-9579-b84ec474@righttoknow.org.au)

Dear Ms Webster

### **FREEDOM OF INFORMATION REQUEST – DECISION**

I refer to your request to the Treasury on 15 November 2022 for access, under the *Freedom of Information Act 1982 (FOI Act)*, to the following:

*copies of all documents, including correspondence, held by Treasury pertaining to the management of the Authorised deposit-taking institutions points of presence data by the Australian Prudential Regulation Authority (APRA) from 2021 and 2022.*

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

#### **Decision**

The Treasury has identified 11 documents in the scope of your request, listed in the attached schedule. I have decided to release the documents in full.

The documents for release are attached.

#### **Material Considered**

The material to which I have had regard in making this decision includes:

- the scope of the FOI request;
- the content of the documents subject to your request;
- the relevant provisions in the FOI Act;
- advice from subject matter experts within the Treasury;
- third party responses to third party consultation; and
- the Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the **FOI Guidelines**).

**treasury.gov.au**

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***Reasons for decision***

**Material deleted pursuant to Section 22**

Section 22 of the FOI Act allows information that is irrelevant to your request to be deleted.

The documents in the scope of your request contains the names, signatures and direct phone numbers of government employees. We informed you in our email of 17 November 2022 that it is our usual practice not to include the personal information of government employees and invited you to inform us if you did not agree with us processing the request on this basis. As we did not hear from you, the personal information of government employees has been deleted under section 22 of the FOI Act.

***Rights of Review***

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

***Disclosure Log***

The Treasury publishes documents disclosed in response to FOI requests on the Treasury website on the same day that the decision is sent to an applicant. This is consistent with the arrangements established by section 11C of the FOI Act.

Yours sincerely



Nghi Luu  
Assistant Secretary  
Capital Markets, Payments and Financial Innovation Branch

### 3213 Document Schedule

Doc No.	Description	Decision
1.	Email correspondence between 19 August 2022 and 13 September 2022	Release in full
2.	Email correspondence between 13 July 2022 and 26 July 2022	Release in full
3.	Draft letter from Treasury to Dale Webster	Release in full
4.	Letter from Treasury to Dale Webster dated 28 July 2022	Release in full
5.	APRA response recommendations	Release in full
6.	Email from Dale Webster dated 10 July 2022	Release in full
7.	Letter from Dale Webster to the Treasurer dated 14 August 2022	Release in full
8.	Email correspondence between 16 September 2021 and 25 October 2021	Release in full
9.	Email from APRA to Dale Webster dated 12 October 2022	Release in full
10.	Attachment 1 to Document 9 – ADIs' Points of Presence Statistics June 2017	Release in full
11.	Attachment 2 to Document 9 – ADIs' Points of Presence Database June 2017	Release in full

## INFORMATION ON RIGHTS OF REVIEW

### 1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the FOI 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](mailto: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.