



FOI 23-22

11 January 2023

Dale Webster

**By email:** [foi+request-9763-8326d61e@righttoknow.org.au](mailto:foi+request-9763-8326d61e@righttoknow.org.au)

Dear Ms Webster,

**SECTION 24AB REQUEST CONSULTATION PROCESS (PRACTICAL REFUSAL) UNDER THE *FREEDOM OF INFORMATION ACT 1982 (CTH)* (FOI ACT)**

I refer to your request received on 26 December 2022 for access to the following documents under the FOI Act:

'I am seeking documents (including correspondence) pertaining to branch classification errors in the authorised deposit-taking institutions points of presence data (also known as ADIPOP) published by the Australian Prudential Regulation Authority (also known as APRA), including, but not limited to:

- anything that refers directly to the Bendigo and Adelaide Bank (also known as Bendigo Bank and Rural Bank) and Rabobank; and,
- cashless banks (also referred to as tellerless or digital banks) where customers are directed to ATMs for cash rather than being given face-to-face service.'

I, Astrid (person number 101676), am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to FOI requests.

**Intention to refuse your request**

I have determined that a 'practical refusal reason' exists in relation to your request under section 24AA of the FOI Act, and I therefore intend to refuse access to the documents you have requested. However, prior to my final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as outlined under section 24AB of the FOI Act.

**Why I intend to refuse your request**

*Substantial and unreasonable diversion of resources*

Subsection 24AA(1)(a)(i) of the FOI Act provides that if the work involved in processing a request to an agency for access to documents would substantially and unreasonably divert the resources of the agency from its other operations, then a practical refusal reason exists.

Having considered subsection 24AA(2) of the FOI Act, I have decided that the work involved in locating the documents that are responsive to your request would substantially and unreasonably divert the resources of APRA from its other operations.

## Request consultation process

You now have an opportunity to revise your request to enable APRA to continue processing it. You could revise your request, for example, by refining the scope of the request so that it is more manageable, or explaining in more detail the documents you are requesting access to. By providing more information about exactly what documents you are interested in or providing or revising the time period for the request, our agency will be able to locate the documents promptly and avoid using excessive resources to process documents that you are not interested in.

In this instance, I suggest that you consider refining your request as follows:

'I am seeking APRA internal documents (including emails correspondence), and also any APRA queries to reporting entities, that constitute substantive consideration by APRA of ~~pertaining to~~ branch classification errors in the authorised deposit-taking institutions points of presence data (also known as ADIPOP) published by the Australian Prudential Regulation Authority (also known as APRA) concerning, including, but not limited to:

- ~~anything that refers directly to the Bendigo and Adelaide Bank (also know as Bendigo Bank and Rural Bank) and Rabobank; and/or,~~
- cashless banks (also referred to as tellerless or digital banks) where customers are directed to ATMs for cash rather than being given face-to-face service,

during the period from 19 October 2021 to 19 October 2022 (being the date of release of the 2022 ADIPOP).'

Before the end of the consultation period, you must do one of the following in writing:

- withdraw your request; or
- revise your request; or
- tell us that you do not intend to revise your request.

The consultation period continues for 14 days and commences on the day after this notice is given.

Within this period, you are welcome to ask for assistance from the contact person I have provided below to revise your request. If you revise your request in a way that adequately addresses the practical refusal reason outlined above, APRA will continue processing it. Please also be advised that the time used to consult with you in relation to the scope of your request is not included in the statutory processing period for your request.

If you do not take one of the actions above during the consultation period, or you do not consult the contact person during this period, your request will be deemed withdrawn.

## Contact officer

If you would like to revise your request or have any questions, the contact officer for your request is:

FOI Officer  
Australian Prudential Regulation Authority  
GPO Box 9836  
Sydney NSW 2001

Telephone: (02) 9210 3000  
Email: [foi@apra.gov.au](mailto:foi@apra.gov.au)

Yours sincerely,

Astrid (person number 101676)  
FOI Officer  
Australian Prudential Regulation Authority