

3 March 2015

Culley Palmer
Email: foi+request-980-59210d50@righttoknow.org.au

ACMA2015/133

Dear Mr Palmer

Request for access to documents under the Freedom of Information Act 1982

I refer to your Freedom of Information Act (FOI Act) request dated and received by the Australian Communications and Media Authority ("ACMA") on 24 February 2015 in which you sought access to:

A copy of the earliest dated Quick Assessment, Briefing or Report authored by the ACMA about revelations of mass surveillance or signals interception of Australian communications, following news reports based on documents provided to journalists by NSA whistleblower Edward Snowden.

I confirm that I am an authorised decision maker within the meaning of section 23 of the FOI Act.

Steps taken to find the relevant documents

Upon receipt of your request I asked relevant ACMA staff to undertake searches to identify and locate documents relevant to your request. These staff searched the ACMA's electronic records management system (known as TRIM), physical files, email records and their personal drives. ACMA staff did not find any documents relevant to your request.

I also consulted with the manager of the Internet Security Programs section and with the Office of the Chair to determine whether such a document, matching the scope of your request, was held by or had been prepared by the ACMA. I am advised that they were not aware of any documents relevant to your request.

Decision on access and reasons

Subsection 24A of the FOI Act relevantly provides:

1. An agency of Minister may refuse a request for access to a document if:
 - a. all reasonable steps have been taken to find the document; and
 - b. the agency or Minister is satisfied that the document:
 - i. is in the agency's or Ministers possession but cannot be found; or
 - ii. does not exist.

I have decided to refuse your request on the basis that the documents you seek access to do not exist.

On the information available, and provided to me, I am satisfied that all reasonable steps have been taken to find the documents you request and that no such documents exist. Your request is therefore refused.

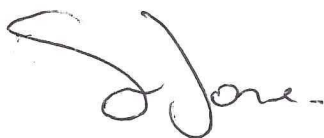
Australian
Communications
and Media Authority
www.acma.gov.au

Your rights of review

Please find enclosed the ACMA's Information Sheet entitled Freedom of Information Act 1982 - Rights of Review of Applicants.

If you have any questions in this regard please contact me on 03 9963 6961 or at stephen.a.jones@acma.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Jones', with a stylized flourish at the end.

Stephen Jones

Senior Lawyer and Freedom of Information Coordinator

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