



ATTACHMENT A

DECISION RECORD

Request Details

FOI Request: FA 16/02/00876

File Number: ADF2016/6017

Scope of Request

You have requested access to the following:

'documents which identify what were the particulars of the goods the subject of the application for the Tariff Concession Order (TCO) 1408894.'

Authority to make decision

I am an officer authorised under section 23 of the FOI Act to make decisions to in respect of requests to access documents or to amend or annotate Departmental records.

Relevant material

In reaching my decision, I have considered the following:

- the terms of your request;
- the documents relevant to your request;
- the FOI Act;
- Guidelines published by the Office of the Australian Information Commissioner under s 93A of the FOI Act, and
- advice from Departmental officers with responsibility for matters relating to the documents to which you sought access.

Reasons for Decision

I am satisfied that I have been provided with all the documents that are relevant to your request. The schedule of the seven documents that fall within the scope of your request at **ATTACHMENT B** sets out the decision on access and, where appropriate, refers to various sections of the FOI Act. My reasoning in relation to the application of each section to particular documents is set out below.

1 Section 22 of the FOI Act – irrelevant to request

Section 22 of the FOI Act provides that if giving access to a document would disclose information that would reasonably be regarded as irrelevant to the request, it is possible for the Department to prepare an edited copy of the document, modified by deletions, ensuring that the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request.

On 10 February 2016 the Department advised you that its policy is to exclude the personal details of officers not in the Senior Executive Service (SES), as well as the mobile and work telephone numbers of SES staff, contained in documents that fall within scope of an FOI request.

Your request is specifically for information that identifies the goods which are the subject of the application for the Tariff Concession Order 1408894. As such, I consider that certain information within the documents, such as the Broker's details, personal information of the applicant's representative, and administrative details contained within document numbered 4 are also not relevant to your request.

I have therefore decided that parts of documents would disclose information that could reasonably be regarded as irrelevant to your request, and have therefore prepared an edited copy of the documents, with the irrelevant material deleted pursuant to section 22(1)(a)(ii) of the FOI Act.

The remainder of the documents have been released to you as they are relevant to your request.



Authorised Decision Maker
Department of Immigration and Border Protection

18 March 2016

ATTACHMENT B

Schedule of Documents

FOI request: FA 16/02/00876

File Number: ADF2016/6017

No.	Date of document	No. of pages	Description	Decision on release	
1.	10/03/2014	9	Application for Tariff Concession Order 14/08894	Release in part	s22(1)(a)(ii)
2.	Undated	6	Illustrative Descriptive Material	Release in full	
3.	Undated	1	Description of Goods including the Customs Tariff Classification	Release in full	
4.	11/03/2014	2	TCO	Release in part	s22(1)(a)(ii)
5.	11/03/2014	1	Description of Goods including the Customs Tariff Classification amended	Release in part	s22(1)(a)(ii)
6.	3/4/2014	2	Letter to Broker with wording of gazette notice	Release in part	s22(1)(a)(ii)
7.	5/6/2014	2	Tariff Concession Order	Release in part	s22(1)(a)(ii)

ATTACHMENT C

Relevant Legislation

Section 22 - Access to edited copies with exempt or irrelevant matter deleted

- (1) This section applies if:
 - (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
 - (b) it is possible for the agency or Minister to prepare a copy (an ***edited copy***) of the document, modified by deletions, ensuring that:
 - (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
 - (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
 - (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
 - (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

- (2) The agency or Minister must:
 - (a) prepare the edited copy as mentioned in paragraph (1)(b); and
 - (b) give the applicant access to the edited copy.

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