



In reply please quote:

FOI Request: FA 16/03/00111

File Number: ADF2016/9690

18 March 2016



Dear [REDACTED]

I refer to your email dated 26 February 2016 in which you request access to documents held by the Department of Immigration and Border Protection (the Department) under the *Freedom of Information Act 1982* (the FOI Act).

Scope of Request

You have requested access to the following documents held by the Department:

'The number and types of firearms legally imported into Australia in the three financial years 2012-2013, 2013-2014 and 2014-2015.'

NOTES:

For purposes of accurate comparison, it would be appreciated if these figures could be provided in the same format as was published in the Customs Annual Report up to, and including the 2011-2012 financial year.

Any easily accessible information which might assist in excluding firearms imported for law enforcement or military purposes from these totals would also allow accurate comparison with Customs counts of 'civilian' firearm imports published in each of the preceding 20 years.

This letter is to notify you of my decision on access to the documents subject to your request.

Charges

On 11 March 2016, the Department notified you of the estimated charges associated with processing this request in the amount of [REDACTED]

On 11 March 2016, you paid the charges in full.

Decision on access

I am authorised under section 23 of the FOI Act to make decisions to release and to refuse access to exempt documents.

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contains the requested information. The data produced in this document existed in the possession of the Department on 26 February 2016 when your FOI request was received.

Please note that in relation to your comment "*Any easily accessible information which might assist in excluding firearms imported for law enforcement or military purposes from these totals would also allow accurate comparison with Customs counts of 'civilian' firearm imports published in each of the preceding 20 years*", data previously provided in the Australian Customs and Border Protection Annual Report relate to commercial firearm importations, and will include firearms that are imported for supply to law enforcement and defence.

The decision in relation to the document in the possession of the Department which comes within the scope of your request is to release that document in full.

Your Review Rights

Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days. Applications for review should be sent to:

Freedom of Information Section
Department of Immigration and Border Protection
PO Box 25
BELCONNEN ACT 2617

OR

By email to: foi@border.gov.au

Review by the Office of the Australian Information Commissioner

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

Making a Complaint

You may complain to either the Commonwealth Ombudsman or the Australian Information Commissioner about action taken by the Department in relation to your request.¹

The Ombudsman will consult with the Australian Information Commissioner before investigating a complaint about the handling of an FOI request.

Your enquiries to the Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)

Email ombudsman@ombudsman.gov.au

Your enquiries to the Australian Information Commissioner can be directed to:


Phone 1300 363 992 (local call charge)

Email enquiries@oaic.gov.au

There is no particular form required to make a complaint to the Ombudsman or the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Immigration and Border Protection as the relevant agency.

Contact

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at foi@border.gov.au.



**FOI Officer | Freedom of Information Section
Information Management Branch
Corporate Services Division
Department of Immigration and Border Protection**

Email: foi@border.gov.au

¹ On 13 May 2014, the Australian Government announced a decision to disband the Office of the Australian Information Commissioner (OAIC). However, the Freedom of Information Amendment (New Arrangements) Bill 2014, which proposes the closure of the Office of the Australian Information Commissioner (OAIC), has not yet been considered by the Senate. The OAIC therefore remains operational until further notice. Information on the OAIC public website advises that Information Commissioner reviews will continue to be handled by the OAIC and FOI complaints will be referred to the Commonwealth Ombudsman. Please contact the OAIC on the details above if you require further information.