Freedom of Information request

I refer to your email dated and received by the University on 8 March 2012 in which you seek access to documents under the Freedom of Information Act 1982 (Cth) ("the Act"). Your request seeks access to information in relation to the use of web browsers and social media by Australian Government agencies.

In accordance with the Act, I have conducted searches of the University's records and consulted with the relevant areas of the University to attempt to locate documents that may be relevant to your request. The results of my searches and consultations indicate that the University does not possess information in relation to your request. As the Freedom of Information delegate I have determined that section 24A(1) of the Act applies.

Section 24A(1) provides that:

Requests may be refused if documents cannot be found, do not exist or have not been received

Document lost or non-existent

(1) An agency or 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 Minister's possession but cannot be found; or
    ii. does not exist

(c) the availability of the information from publicly accessible sources;

(d) any other matters that the agency or Minister considers relevant.

I am satisfied that all reasonable steps have been taken to locate the documents you seek and I have determined that the documents do not exist. In that regard, I have determined to decline your request for access under section 24A(1).
Application for Internal Review of Decision
I draw to your attention S54A of the Act, your right to request an Internal Review of my decision.

An application for internal review of my decision must be made in writing within 30 days of receipt of this letter. No particular form is required but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed. Application for review of the decision should be addressed to:

Pro Vice-Chancellor
Building 108
The Australian National University
CANBERRA ACT 2601

Application for Information Commissioner Review
I draw to your attention S54F in which you can apply directly to the Australian Information Commissioner for a review of the decision.

An application for Information Commissioner Review must be made in writing within 30 days of receipt of this letter. No particular form is required but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed and include a copy of the notice given to you under S26 of the Act (decision letter and any tables). Application for review of the decision should be addressed to:

Office of the Australian Information Commissioner
FOI Review
GPO Box 2999
CANBERRA ACT 2601

Complaints to the Information Commissioner
Section 70 of the Act provides that a person may complain to the Information Commissioner concerning action taken by the University in the exercise of its powers or the performance of its functions under the Act. A complaint to the Information Commissioner must be made in writing and should be directed to the following address:

Office of the Australian Information Commissioner
FOI Complaint
GPO Box 2999
CANBERRA ACT 2601

Yours sincerely

[Signature]
Sue Clarke
FOI Officer