In reply please quote:

FOI request: As below
File number: As below

Dear Oliver Smith

Notification of invalid Freedom of Information internal review request

I refer to your email received by the Department of Home Affairs (the Department) on 18 September 2024 in which you requested an internal review of Freedom of Information request as below references.

FA reference	FOI request received date	Statutory Date due	Internal review received date	FOI decision
FA 24/08/01140	19/08/2024	02/10/2024 (Extension of time EOT granted)	18/09/2024	Pending
FA24/08/01037	16/08/2024	29/09/2024 (EOT granted)	18/09/2024	Pending
FA24/08/01004	16/08/2024	29/09/2024 (EOT granted)	18/09/2024	Pending
FA24/08/01034	16/08/2024	29/09/2024 (EOT granted)	18/09/2024	Pending

The Department has determined that your above requests for internal review are invalid. This means that the Department is unable to take any further action on your request for internal review.

Whether internal review request valid
The right for an applicant to seek internal review is specified in Part VI of the FOI Act, which provides that an applicant may request an internal review of an 'access refusal decision' made by an agency. The types of decisions that are reviewable access refusal decisions are specified in section 53A of the FOI Act.

As of 18 September 2024, the date on which you made your internal review requests, the Department had not yet made decisions in response to these requests. Consequently your internal review requests are invalid and we cannot review the decisions.

The Department has not yet made a decision in response to your request. Consequently your above internal review requests are invalid and we cannot review the decision.

Further information about Information Commissioner reviews is available on the OAIC website.

Kind regards,

Nurun
Freedom of Information Reviews Team
Privacy, FOI and Records Management Branch | Legal Group
Department of Home Affairs
E: foi.reviews@homeaffairs.gov.au
Date: 20/09/2024