



Australian Government

AUSTRAC

Reference: PIAT-6130 – Cryptocurrency Monero

25 September 2024

Journo

Righttoknow

Sent by email to: [foi-request-11964-11de545d@righttoknow.org.au](mailto:foi-request-11964-11de545d@righttoknow.org.au)

Dear Journo

### **Freedom of Information Request Decision**

The Australian Transaction Reports and Analysis Centre (AUSTRAC) refers to the Freedom of Information request (FOI request) received from you on 30 August 2024 seeking access to:

*\*AUSTRAC's policies or guidelines regarding the investigation, monitoring and regulation of Monero.*

*\*Any reports or assessments prepared by AUSTRAC that discuss Monero."*

I examined the scope of your request and have decided to refuse access to the documents requested pursuant to s 25 of the FOI Act.

Section 25 has the effect of protecting Commonwealth agencies from being required to give information as to the existence or non-existence of a document in particular circumstances. I note the scope of your request requires AUSTRAC to provide confirmation to the existence or non-existence of documents from an investigative standpoint as they relate to the identified entity Monero.

AUSTRAC has identified this circumstance as warranting s 25 FOI protection to preserve the integrity of our ongoing operations, which involve investigating particular entities to support proper administration of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

Referring to paragraph 3.105 of the [OAIC Guidelines](#), I note that s 25(2)(a) only requires an assessment of whether a document 'of the kind' requested is, or would be an exempt document under ss 33, 37(1) or 45A(1). Importantly, AUSTRAC is not required to search for, or conduct an inquiry into the nature of the document being sought.

I am therefore refusing access to the documents requested s 25(1)(a) of the FOI Act.

You have the right to seek review if you are not satisfied with this decision. An application for internal review of this decision must be made in writing within 30 days of receipt of this letter by email to [info\\_access@austrac.gov.au](mailto:info_access@austrac.gov.au). You may also seek review of this decision by the Information Commissioner by contacting the Office of the Australian Information Commissioner (OAIC). Information on how to apply for Information Commissioner review is available on the [OAIC website](#).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jessica Johnson', written over a horizontal line.

Jessica Johnson  
Authorised Decision Maker  
AUSTRAC