



Australian Government
The Treasury



4 October 2024
FOI ref: 3726

Dale Webster
By email: foi+request-12039-35611a26@righttoknow.org.au

Dear Dale Webster

FREEDOM OF INFORMATION REQUEST – DECISION

I refer to your request to the Treasury on 9 September 2024, for access under the *Freedom of Information Act 1982 (FOI Act)* to the following:

[A] copy of the contract setting out the enforceable conditions put in place by the Department of Treasury on behalf of the Commonwealth in approving the acquisition of Suncorp Bank by the Australia and New Zealand Banking Group Limited (ANZ) on June 28, 2024.

I am an authorised decision maker under section 23 of the FOI Act.

Decision

The Treasury does not hold documents within scope of your request. We advised you on 24 September 2024, enforceable conditions referred to in your request were put in place via legislative instrument and not by contractual agreement. You were provided with the following link - <https://www.legislation.gov.au/F2024N00589/asmade/text> and asked to withdraw your request. No response was received. As the Treasury holds no documents within the scope of your request, I am refusing your request under section 24A(1) of the FOI Act.

Rights of Review

A statement setting out your rights of review in this matter is attached.

Yours sincerely

Chris Lyon
A/g Assistant Secretary
Financial Systems Division

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INFORMATION ON RIGHTS OF REVIEW

1. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Freedom of Information Act gives you the right to apply for an internal review of the decision refusing to grant access to documents in accordance with your request.

An application for a review of the decision must be made in writing within 30 days of receipt of this letter.

No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

An application for a review of the decision should be emailed to FOI@Treasury.gov.au.

OR

2. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the FOI Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

An application for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should send your application for review to:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

3. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the FOI Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.