



Australian Government



Level 5  
60 Union St  
Pyrmont, Sydney  
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9 December 2024

Attention: Oliver Smith

Via email: [foi+request-12402-5c8d5b65@righttoknow.org.au](mailto:foi+request-12402-5c8d5b65@righttoknow.org.au)

Dear Mr Smith,

I refer to previous correspondence in relation to your request for information, pursuant to the *Freedom of Information Act 1982* ('FOI Act'), received on 28 November 2024.

As General Counsel for Creative Australia I am authorised to make and convey a decision on behalf of the agency under Section 23 of the FOI Act.

Under the FOI Act you made the following request:

*I seek documents created since 1 July 2024 in relation to funding for events, projections or anything else planned for Australia Day 2025.*

### **Decision and Statement of Reasons**

I believe that the documents you have requested above do not exist. On this basis I intend to refuse your requests under Section 24A(1) of the FOI Act which states:

***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.*

Having regard to your request and the types of documents that may fall within the scope of your request I am satisfied that Creative Australia has undertaken reasonable searches in relation to your request and that Creative Australia does not hold any documents that fall within the scope of your request. I am satisfied that the searches conducted were thorough and all reasonable steps have been taken to locate any document relevant to your request.

Your request is therefore refused under Section 24A(1) of the FOI Act.

### **Review rights**



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You are entitled to seek an internal review of these decisions under section 54 of the FOI Act. An application for internal review must be in writing and must be made within 30 calendar days of being notified of my decision(s). An application for internal review can be made to Tim Blackwell, Executive Director, Corporate Resources.

You may send correspondence to the below address:

Creative Australia  
PO Box 576  
Pyrmont NSW 2009

Or by email: [FOI@creative.gov.au](mailto:FOI@creative.gov.au)

Alternatively, you may request that the Australian Information Commissioner (Information Commissioner) review the decision. You can also apply for an Information Commissioner review (IC review) after seeking an internal review.

You can apply for an IC review in writing, within 60 days of being notified of our decision.

You can find further information on this process at: <http://www.oaic.gov.au/>

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Kenny'.

**Rebecca Kenny**  
General Counsel  
E: [FOI@creative.gov.au](mailto:FOI@creative.gov.au)