



3 January 2025

Our ref: 2024/16417

Nosey Rosey

**BY EMAIL ONLY:** [foi+request-12585-f77aba85@righttoknow.org.au](mailto:foi+request-12585-f77aba85@righttoknow.org.au)

To whom it may concern,

### **FREEDOM OF INFORMATION REQUEST – DVA Records**

I refer to your request received by AMSA on 14 December 2024 in which you sought access to documents under the *Freedom of Information Act 1982* (the FOI Act). The request sought access to:

*...any and all documents, records, data, and supporting material held by [Name of Agency] concerning the sharing of personal information originating from the Department of Veterans' Affairs (DVA) over the last ten years. This includes any data transfers from or to the DVA, whether they were one-off exchanges or ongoing, systematic transfers of DVA client information, including personal, medical, financial, or service-related details concerning veterans or their dependents.*

...

*Specifically, I request:*

*All records of data sharing arrangements between DVA and [Authority name], including but not limited to memoranda of understanding, service-level agreements, emails, letters, meeting minutes, file transfer logs, internal reports, and instructions that outline what data was shared, when it was shared, and the format or system used for the transfer.*

*Any policies, procedures, guidelines, or frameworks that govern how [Authority name] requests, obtains, stores, handles, or uses DVA client information. This includes documents that detail the criteria for approving access to such data, any consent or authorization processes, security controls, and retention or destruction policies.*

*Copies of any ethics committee approvals, privacy impact assessments, internal review board decisions, or other documents that reflect deliberations or authorizations for obtaining DVA client information. This includes records that show the agency considered the ethical, legal, or privacy implications of receiving or using DVA client data.*



*Documents that outline the intended uses or practical applications of the DVA client data, such as project proposals, business cases, internal strategy papers, or briefings that explain why [Authority name] sought access to this information, how it was intended to be integrated into the agency's operations, and any expected outcomes or benefits.*

...

### **Timeframe for processing your request**

Your request was received by AMSA on 14 December 2024. The statutory period for processing your request is 30 days. The timeframe for processing your request therefore expires on 13 January 2025.

### **Decision**

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

After taking all reasonable steps to locate relevant documents relating to your aforementioned request, I am satisfied that no such documents are in the possession of AMSA that fall within the scope of your request. I therefore resolve your application under section 24A(1) of the FOI Act on the basis that the requested documents do not exist.

### **Review rights**

You are entitled to seek review of this decision. **Attachment A** sets out your rights to apply for review if you are dissatisfied with my decision.

### **Contacts**

If you have any queries about this notice, please do not hesitate to contact AMSA's FOI team at [freedomofinformation@amsa.gov.au](mailto:freedomofinformation@amsa.gov.au).

Yours sincerely,

Ruth  
Delegate  
Australian Maritime Safety Authority

## **Attachment A - review rights**

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

### **Internal review**

Under section 54 of the FOI Act, you may apply in writing to AMSA for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

An internal review application should be addressed to:

The Freedom of Information Officer  
Email: [FreedomOfInformation@amsa.gov.au](mailto:FreedomOfInformation@amsa.gov.au)

If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

### **Information commissioner review**

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online: [https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR\\_10](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10)

email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

post: GPO Box 5218 Sydney NSW 2001

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to <https://www.oaic.gov.au/freedom-of-information/freedom-of-information-guidance-for-government-agencies/freedom-of-information-reviews/summary-of-the-freedom-of-information-review-process>

## **FOI complaints**

If you are unhappy with the way AMSA has handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem. If you are not satisfied with our response, you can make a complaint to the Australian Information Commissioner. A complaint to the Information Commissioner must be made in writing. Complaints can be lodged in one of the following ways:

Online:

[https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA\\_1](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA_1)

Email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

Post: GPO Box 5218, Sydney 2001, NSW

More information about complaints is available on the Office of the Australian Information Commissioner website at <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-informationrights/freedom-of-information-complaints/make-an-foi-complaint>