



ASIC
Australian Securities &
Investments Commission

**Australian Securities
and Investments Commission**

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18 February 2025

Chris

By email: foi+request-12841-80134e17@righttoknow.org.au

**Freedom of Information Request No. FOI 040-2025
Section 24AB Practical Refusal Notice**

Dear Chris

I refer to your request dated 14 February 2025 under the *Freedom of Information Act 1982* (FOI Act) in which you seek access to documents in the possession of the Australian Securities and Investments Commission (ASIC).

Your request states the following:

"Dear Australian Securities and Investments Commission,

The ASIC Company Dataset published on data.gov.au contains incomplete data. For example, ANGELE PTY. LTD., as a deregistered company, is not included in the dataset but could be found on ASIC.gov.au.

Incomplete dataset causes significant problem to us that we could not match company names in our dataset.

We would be very appreciated if you could include complete company list in the published dataset.

Thank you."

Practical refusal ground(s)

Section 24AA of the FOI Act provides that a practical refusal ground exists in relation to a request for documents if either (or both) of the following apply:

- the work involved in processing the request, in the case of an agency would substantially and unreasonably divert the resources of the agency from its other operation (s24AA(1)(a));
- the request does not satisfy the requirement in paragraph 15(2)(b) of FOI Act, (24AA)(1)(b)).

In relation to your request, I find that section 24AA(1)(b) applies.

Section 15(2)(b) of FOI Act

Section 15(2)(b) of the FOI Act states that a request for access to a document must 'provide such information concerning the document as is reasonably necessary to enable a responsible officer of the agency, or the Minister, to identify it.'

I note that your request does not seek documents but asks ASIC to publish a "complete company list in the published dataset".

The request does not refer to a specific subject matter, therefore it does not allow ASIC staff to undertake reasonable searches to locate relevant documents.

Section 24AA(1)(b) FOI Act – Identification of documents

I am writing to advise you that your request in its current form does not adequately identify the documents sought and it would therefore be my intention to refuse your request given that a practical refusal reason exists within the meaning of section 24AA(1)(b) of the FOI Act.

Request consultation process

The purpose of this letter is to invite you to revise the terms of your request so that the practical refusal reason no longer exists. In revising the scope of your request, please consider the issues set out above.

To submit a valid FOI request in line with section 15(2) of the FOI Act,

(2) The request must:

(a) be in writing; and

(aa) state that the request is an application for the purposes of this Act; and

(b) provide such information concerning the document as is reasonably necessary to enable a responsible officer of the agency, or the Minister, to identify it; and

(c) give details of how notices under this Act may be sent to the applicant (for example, by providing an electronic address to which notices may be sent by electronic communication).

For assistance regarding incomplete datasets, you may reach out to feedback@asic.gov.au.

Timeframe

The statutory timeframe for notifying an applicant of a decision on a request for access under the FOI Act is 30 days from the day the agency receives a request. Please note that, in accordance with section 24AB(8) of the FOI Act, the time for processing your request is suspended from the day that you receive this letter, and resumes on the day after ASIC receives from you one of the following:

- written notification that you wish to withdraw the request;
- a revised written request addressing the matters raised above; or
- written notification that you do not wish to revise your request.

If you choose to do one of the things mentioned above, you must do so **within 14 days of the date of this letter (the consultation period)**. If I have not heard from you at the end of the consultation period, your request will be taken to be withdrawn in accordance with section 24AB(7) of the FOI Act.

During the consultation period you are invited to seek assistance in reframing your request. I can be contacted by email shoumia.nithianantha@asic.gov.au or by telephone on 02 9911 2454 if you wish to discuss the scope of your request.

Yours sincerely

Shoumia

Shoumia Nithiananthan
Privacy and Freedom of Information Lawyer
Australian Securities and Investments Commission (ASIC)