



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2021-076

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	13
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD.FOI](#)  
**Subject:** Freedom of Information request  
**Date:** Wednesday, 5 May 2021 12:01:21 PM

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**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

### Your details

**All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.**

Title:  
First Name:  
Last Name:  
Business/Organisation:  
Address:  
Suburb:  
Postcode:  
State/Territory:  
Phone/mobile:  
Email address:

[REDACTED]

### Request for information

**(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)**

I appreciate details of any ACCESS Canberra complaints, investigations, disciplinary action, public warnings or ACAT proceedings, Money Orders, breached Money Orders etc (ie any 'black marks') against: 1. My unscrupulous builder, [REDACTED]  
[REDACTED] 2. Any of [REDACTED] companies, which include but not limited to [REDACTED]  
Under the Freedom of Information Act 2016 I [REDACTED] had a company in the ACT for many years. He told me (one of his victims) that about a decade ago he placed his company into bankruptcy because he did not wish to pay a creditor. Do you have details of that company? NSW Fair Trading continues its 9 month investigation into [REDACTED] and his companies, as a result of [REDACTED] serious misconduct. In NSW, there are currently 4 complaints against [REDACTED] with NSW Fair Trading and 2 in NCAT that I am aware of. I, sadly, am [REDACTED] greatest impacted victim. I have been asked to check if there are any 'black marks' against [REDACTED] or his companies from when he worked in the ACT. Please help.

I do not want to access the following

documents in relation  
to my request::

Thank you.  
Freedom of Information Coordinator



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2021-076



via email: [REDACTED]

Dear Ms Martinello,

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 05 May 2021, in which you sought access to:

*"I appreciate details of any ACCESS Canberra complaints, investigations, disciplinary action, public warnings or ACAT proceedings, Money Orders, breached Money Orders etc (ie any 'black marks') against: 1. My unscrupulous builder, [REDACTED] [REDACTED]. 2. Any of [REDACTED] companies, which include but not limited to [REDACTED] [REDACTED] had a company in the ACT for many years. He told me (one of his victims) that about a decade ago he placed his company into bankruptcy because he did not wish to pay a creditor. Do you have details of that company? NSW Fair Trading continues its 9 month investigation into [REDACTED] and his companies, as a result of [REDACTED] serious misconduct. In NSW, there are currently 4 complaints against [REDACTED] with NSW Fair Trading and 2 in NCAT that I am aware of. I, sadly, am [REDACTED] greatest impacted victim. I have been asked to check if there are any 'black marks' against [REDACTED] or his companies from when he worked in the ACT. Please help".*

### **Authority**

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 03 June 2021.

**Decision on access**

A search of CMTEDD records has failed to identify any documentation in relation to your request. The search was conducted using the information you provided.

I am satisfied that appropriate searches were completed and that no documents relevant to your request are held by CMTEDD.

**Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because there are no documents available to be processed.

**Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. A description of the access application and my decision will be published in the CMTEDD disclosure log 3 days after the date of my decision. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

**Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

**ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
Level 4, 1 Moore St  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 62077754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Friend', with a long horizontal flourish extending to the right.

Angela Friend  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate  
24 May 2021