



22 April 2021



I refer to your request for access to documents relating to *IP Australia's PGPA Rule compliance* under the *Freedom of Information Act 1982* (FOI Act).

Although your request relates to information not available in discrete form in written documents held by IP Australia, the agency was able to process the request under section 17 of the FOI Act.

Decision

The information was identified and collated by IP Australia's Internal Audit Manager and is set out in the below attachment. With regard to this information, I have decided to grant access in full.

Your review rights

Internal review

Under section 54 of the FOI Act, you may apply in writing to IP Australia 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.

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

email: 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/reviews-and-complaints/information-commissioner-review/>.

FOI Complaints

If you are unhappy with the way we have 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

email: foidr@oaic.gov.au

post: GPO Box 5218 Sydney 2001

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

If you are not sure whether to lodge an Information Commissioner review or an Information Commissioner complaint, the Office of the Australian Information Commissioner has more information at: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

I enclose the information you requested.

Publication of documents on disclosure log

I have decided to publish the document in accordance with section 11C of the FOI Act.

Contact

If you have any questions regarding this notice, please do not hesitate to contact me in writing by email at FOI@ipaustralia.gov.au.

Yours sincerely

Simon Henkel
FOI Officer
Office of Legal Counsel

Attachment 1.

IP Australia has established a Fraud Control Framework and Risk Register as required under the Public Governance, Performance and Accountability Act. Fraud Risk is assessed at least quarterly and reported to IP Australia's Audit Committee for an independent assessment. The table below summarises these activities for the years 2016 to 2019 as per a) of your request, being the first instance of review for each calendar year.

3 March 2016	Fraud Risk Register review
17 February 2017	Fraud Risk Register review
13 March 2018	Fraud Risk Register review
13 March 2019	Fraud Risk Register review

Rule 10 b/d of the PGPA does not specifically require entities to conduct fraud/compliance assessments, but to have appropriate plans and mechanisms for managing risk of fraud and identifying/detecting/reporting suspected fraud. IP Australia's Fraud Control Framework is made up of the Accountable Authority Instruction, Fraud Control Plan and Fraud Risk Register and Treatment Plan. IP Australia continues to maintain appropriate fraud prevention, detection, investigation, reporting and data collection procedures.