



Our ref: 2023/022IR

12 June 2024

Alex Pentland

By email: foi+request-11340-73dceca6@righttoknow.org.au

Dear Alex,

**FREEDOM OF INFORMATION REQUEST: FOI 2023/022IR– NOTICE OF INTERNAL REVIEW
DECISION**

1. I refer to your application under the *Freedom of Information Act 1982* (FOI Act), made to the Australian Pesticides and Veterinary Medicines Authority (APVMA), on 24 May 2024.
2. The application seeks internal review of the decision made in respect of the FOI request 2023/022 (original decision).

The original decision

3. On 18 May 2024, you made a request for documents in the possession of the APVMA.
4. Your request sought access to:

“the Style Guides/Brand Guides/Writing Guides currently used for the Australian Pesticides and Veterinary Medicines Authority.”
5. The APVMA identified 2 documents falling within the scope of your request (**the Documents**).
6. On 16 May 2024, the APVMA made a decision which granted partial access to the Documents falling within the scope of your request on the grounds that the Documents contain:
 - i. information considered conditionally exempt under section s 47E(d) of the FOI Act; and
 - ii. information irrelevant to your request.

Request for Internal Review

7. On 24 May 2024, you applied for an internal review of the original decision.
8. In your application you stated:
‘The extensive redactions obtained in this reply extend far beyond what I believe should be called reasonable. As such, I appeal all of the redactions made under 47E. To go into slightly

more detail several pieces of information here are redacted which are already open to the public knowledge and public arena.

Take, for instance, the redaction of even the colours used by the APVMA. Most of these colours and details are simply observable from reading the reports of the authority or seeing information on their website. Not only is there controversy here, I would argue there is almost zero realistic concerns that could be mounted to oppose redaction.

The decision mad reference to the concern of external fraud and impersonation which could be made following the guides being made public. In my view, this is a weak argument, ignoring the fact that it is already a criminal offense to impersonate a Commonwealth Government Entity, and that there has not been.'

- 9 As your application was made within 30 days of the original decision being made, the internal review application is valid
10. The statutory period for processing your request is 30 days commencing from the day after your request was received. If the due date falls on a Saturday, Sunday, or public holiday, in accordance with the FOI guidelines issued by the Australian Information Commissioner, the timeframe will expire on the first day following which is none of those days.
11. In accordance with subsection 54C(3) of the FOI Act, the decision on your application would be due on 23 June 2024, however, due to this date being a Sunday, a decision is due on 24 June 2024.

Internal Review Decision

12. I am an officer authorised under subsection 23(1) of the FOI Act to make internal review decisions in relation to FOI requests
13. I have reviewed the original decision in accordance with subsection 54C(2) of the FOI Act.
14. In making my decision regarding access to the Documents, I have taken the following material into account
 - a. the terms of your original request made on 18 May 2024 and the original decision;
 - b. the terms of your application for internal review made on 24 May 2024;
 - c. the content of the documents that fell within the scope of your request;
 - d. information that is publicly available,
 - e. relevant provisions in the FOI Act and legislation under which the APVMA operates; and
 - f. the guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines).
15. I have decided to vary the original decision and grant full access to the Documents falling within the scope of your request.

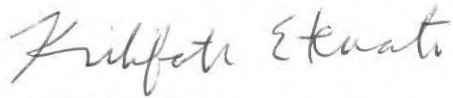
16. A schedule setting out my decision in relation to the relevant documents is at **Attachment A**.

17. Information about your review rights is at **Attachment B**.

Contact officer

18. To discuss this notice, please contact Paula Beaton, Assistant Director FOI and Privacy, Office of the Executive General Counsel, on 02 6770 2560, or FOI@apvma.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kilifoti Eteuati', written in a cursive style.

Kilifoti Eteuati
Executive General Counsel
Office of the Executive General Counsel



ATTACHMENT A

FOI 2023/022 – Document schedule

Doc	Date	Author	# of pages	Document description	Primary Decision	Internal Review Decision
1	2021	APVMA	27	APVMA Visual Style Guide	Partial access 47E(d)	Full access
2	2023	APVMA	1	APVMA Corporate Colour Palette	Partial access 47E(d)	Full access



ATTACHMENT B

Freedom of Information – Your Review Rights

Information Commissioner review

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

Online: www.oaic.gov.au

Post: Director of FOI Dispute Resolution
Office of the Australian Information Commissioner
GPO Box 5218, Sydney NSW 2001

Facsimile: (02) 9284 9666

Phone: 1300 363 992

Email: FOIDR@oaic.gov.au

More information about your review rights under the FOI Act can be found at:

<https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-reviews/information-commissioner-review>

Complaints to the Information Commissioner

You may also make a complaint to the Information Commissioner concerning actions taken by the Department while exercising its powers or performing its functions under the FOI Act. Further details on this process can be found on the Information Commissioner's website at <https://www.oaic.gov.au/>.