



**Australian Government**  
**Department of Immigration and Citizenship**

**DECISION RECORD**

**Request Details**

FOI Request FA 13/03/00839

File Number ADF2013/8885

**Scope**

*"A copy of the contract between the Salvation Army and DIAC for the Salvation Army to provide services in offshore immigration detention centres.*

*Timeframe 1 August 2011 - 30 December 2012."*

**Documents in scope**

1. Heads of Agreement relating to the provision of services on Nauru between DIAC and The Salvation Army. – containing 43 folios.

**Information considered**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate departmental records. In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*;
- The Australian Information Commissioner's guidelines relating to access to documents held by government;
- Departmental files and/or documents (identified above); and
- Consultation with relevant business area(s).

**Reasons for decision**

I have considered the file within the scope of your request and applied exemptions in part or in full to the document as detailed in the Schedule of Documents. You should read the schedule in conjunction with the exemptions below.

***FREEDOM OF INFORMATION ACT 1982 - Section 47G***

***Public interest conditional exemptions—business***

*(1) A document is conditionally exempt if its disclosure under this Act would disclose information concerning a person in respect of his or her business or professional affairs or concerning the business, commercial or financial affairs of an organisation or undertaking, in a case in which the disclosure of the information:*

- (a) would, or could reasonably be expected to, unreasonably affect that person adversely in respect of his or her lawful business or professional affairs or that organisation or undertaking in respect of its lawful business, commercial or financial affairs; or*
- (b) could reasonably be expected to prejudice the future supply of information to the Commonwealth or an agency for the purpose of the administration of a law of the Commonwealth or of a Territory or the administration of matters administered by an agency.*

**people** our business

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Released by DIBP under the  
Freedom of Information Act 1982

The documents that I have identified as being exempt under section 47G(1)(a) contain information that would disclose information concerning an organisation in respect of its lawful business, commercial or financial affairs.

I have decided that the disclosure of this information would or could reasonably be expected to, unreasonably affect that organisation in its lawful undertakings as there is an expectation that the department would securely maintain any information provided to it.

Having formed the view that release of the documents would or could reasonably be expected to unreasonably affect that organisation I then considered whether the release would be contrary to the public interest.

I considered the following factors in favour of disclosure:

- the right for members of the public to access material about them held by the government, including information used in visa applications;
- applicants exercising rights under the FOI Act; and
- accountability of departmental procedures.

The arguments I have considered in favour of non-disclosure include:

- it is a core Government concern to maintain the integrity of the information it holds including information relating to the business, commercial and financial affairs of an organisation;
- the department is obliged to take action to prevent the unreasonable disclosure of information that may be of commercial or financial value to an organisation.

I have given greatest weight to the department's obligation to maintain the integrity of the information it holds. This would be contrary to the public interest.

I consider that disclosure of this information would be contrary to the public interest and it is therefore exempt from disclosure under section 47G(1)(a) of the FOI Act.



FOI Officer  
FOI and Privacy Policy Section  
National Office  
Department of Immigration and Citizenship

29 May 2013



**Australian Government**  
**Department of Immigration and Citizenship**

**SCHEDULE OF DOCUMENTS TO DECISION RECORD**

**Request Details**

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File Number ADF2013/8885

**1. Heads of Agreement relating to the provision of services on Nauru between DIAC and The Salvation Army.**

<b>Folio</b>	<b>Description</b>	<b>Decision</b>	<b>Legislation</b>
1-10		Release in full	
11, 12, 13	Information that would disclose information concerning an organisation in respect of its lawful business, commercial or financial affairs.	Exempt in part	s.47G(1)(a)
14		Release in full	
15, 16	Information that would disclose information concerning an organisation in respect of its lawful business, commercial or financial affairs.	Exempt in part	s.47G(1)(a)
17-30		Release in full	
31, 32, 33,	Information that would disclose information concerning an organisation in respect of its lawful business, commercial or financial affairs.	Exempt in part	s.47G(1)(a)
34	Information that would disclose information concerning an organisation in respect of its lawful business, commercial or financial affairs.	Exempt in full	s.47G(1)(a)
35-43		Release in full	