



**Australian Government**

**Department of Health**

Department Reference: FOI 321-1718

Ms Ashley Flockhart

By email: [foi+request-4567-fd795266@righttoknow.org.au](mailto:foi+request-4567-fd795266@righttoknow.org.au)

Dear Ms Flockhart

**NOTICE OF DECISION**

I refer to your request to the Department of Health (Department) of 11 May 2018 seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

*'a copy of all correspondence (emails, texts, letters, transcripts) the Australian National Council on Drugs has had with the Victorian State Government regarding the implementation of pill testing at music festivals.'*

I am writing to advise you of my decision.

**Decision**

I am authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

All reasonable steps have been taken to find the documents referred to in your request including a thorough and extensive search and consultation with the relevant policy and program areas.

I am satisfied that the documents referred to in your request do not exist. As a consequence, I refuse access to the documents referred to in your request pursuant to section 24A of the FOI Act.

**Review rights**

If you are dissatisfied with my decision, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

Internal review

Under section 54 of the FOI Act, you may apply in writing to the Department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the Department allows).

Where possible please provide reasons why you consider review of the decision is necessary. The internal review will be carried out by another officer of this Department within 30 days. An application for an internal review should be addressed to either of the following:

Email: [FOI@health.gov.au](mailto:FOI@health.gov.au)

OR

Mail: FOI Unit (MDP 350)  
Department of Health  
GPO Box 9848  
CANBERRA ACT 2601

### Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at  
<http://www.oaic.gov.au/freedom-of-information/requesting-a-review>

You may also make a complaint to the Information Commissioner about action taken by the Department in relation to your application. Further information can be obtained from the OAIC website.

### **Relevant provisions**

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:  
<https://www.legislation.gov.au/Details/C2018C00016>

### **Contacts**

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 6289 1666 or via email [FOI@health.gov.au](mailto:FOI@health.gov.au).

Yours sincerely



David Laffan  
Assistant Secretary  
Alcohol, Tobacco and Other Drugs Branch

5 June 2018