



5 December 2019

Mr Mike Read

Via email only: foi+request-5817-f7b9eb96@righttoknow.org.au

Dear Mr Read

Freedom of Information Request 19-30

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982 (FOI Act)*.

Background to Decision

On 30 October 2019, you requested access to the following documents:

"I am making a request under the freedom of information act for all correspondence & documents relating to the updating/modifying of the Check your substances database between January 1 2013 and February 28 2013.

This includes but is not limited to communications with MIMS.

Please note that I am not requesting any personal information or names of third parties so I do not approve of any requests for extension of deadlines on this basis."

Your request was received by Australian Sports Anti-Doping Authority (**ASADA**) on 30 October 2019. ASADA acknowledged receipt of your request on 4 November 2019.

On 27 November 2019 you agreed to an extension of time of 7 days to process your request. This made a decision due to you by **6 December 2019**.

Decision

I have identified four (4) documents falling within the scope of your request. The documents are outlined at **Annexure A**. I have decided to grant you access in full to all documents. Material falling outside the scope of your request has been deleted in accordance with section 22(1) of the FOI Act.

Authority and Materials Considered

I am an authorised decision maker under section 23(1) of the FOI Act.

In reaching my decision I have considered:

- Your original request dated 30 October 2019;
- Consultation with agency officers;
- The Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (**Guidelines**); and
- The relevant provisions of the FOI Act.

Reasons for Decision

Application of section 22 of the FOI Act

Section 22 of the FOI Act provides that where an agency decides that a document contains exempt or irrelevant information or material and it is possible for the agency to prepare a copy of the document (an edited copy) modified by deletion, then the agency must prepare such a copy.

Further, this edited copy must be provided to the applicant and, in accordance with section 22(3), the decision maker must advise the applicant in writing that the edited copy has been prepared and the grounds for the deletion.

In your request you advised that you were not seeking access to personal information. Accordingly, I have applied section 22 to parts of the documents containing the names and contact details of third parties. I am satisfied that this information is irrelevant for the purposes of your request.

Your review rights

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

Internal review

Under section 54 of the FOI Act, you may apply in writing to ASADA for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter. If you wish to make such an application please contact foi@asada.gov.au.

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/aba/oaic/foi-review/>
email: enquiries@oaic.gov.au
post: GPO Box 2999, Canberra ACT 2601
in person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to www.oaic.gov.au/freedom-of-information/foi-reviews.

Questions about this decision

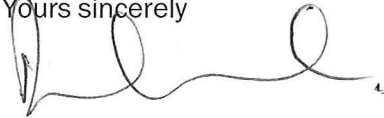
If you wish to discuss this decision, please contact the following officer:

Sally Cook

Lawyer

foi@asada.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brian McDonald', with a stylized flourish at the end.

Brian McDonald APM

Deputy Chief Executive Officer – Operations

ANNEXURE A

Document	Description	Decision	Comments
1	Table - 'Check Your Substances' changes for peptides	Release in full	
2	Email trail between third party and ASADA regarding 'Check Your Substances'	Release in full	Out of scope material deleted in accordance with section 22
3	Email trail between third party and ASADA regarding 'Check Your Substances'	Release in full	Out of scope material deleted in accordance with section 22
4	Email trail between third party and ASADA regarding 'Check Your Substances'	Release in full	Out of scope material deleted in accordance with section 22