



Australian Government

National Health and Medical Research Council

Mr Paul Swain
Email: foi+request-1023-a9eb7c28@righttoknow.org.au

Dear Mr Swain

Freedom of Information Request No.

I refer to your email, dated 18 March 2015, making a request under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) for access to documents held by National Health and Medical Research Council (**NHMRC**) in relation to the following: *any information that NHMRC holds that relates to 2010 NICNAS report on Multiple Chemical Sensitivity and its recommendations.*

This letter sets out my decision on your request for access.

Timeframe for processing your request

Your request was received by NHMRC on 18 March 2015. The statutory period for processing your request is 30 days. The statutory period for processing was extended by an additional 30 days to allow for consultation in accordance with section 15(6) or section 15(7) of the FOI Act.

On 2 April 2015, NHMRC wrote to you requesting a further 4 weeks within which to make a decision on your request. On 2 April 2015 you agreed in writing to this extension of time. Pursuant to section 15AA of the FOI Act, NHMRC has notified the Information Commissioner in writing of this extension of time.

Accordingly, the time frame for processing your request expires on 16 June 2015.

Decision

I am an authorised decision-maker under section 23 of the FOI Act.



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I have identified three (3) documents regarding the 2010 NICNAS Report on MCS, which fall within scope of your request:

Document 1: Letter from Office of Health Protection dated 16 August 2011;
Document 2: Letter from Coroner Dingwall dated 25 January 2013; and
Document 3: Minute and letter from NHMRC to Coroner Dingwall dated 14 February 2013.

All documents identified within the scope of your request are being released.

Section 47F(1)(a)(ii) of the FOI Act allows an agency to delete material from a document that would involve the unreasonable disclosure of personal information about any person (including a deceased person). Accordingly, two documents within the scope of your request ('Document 2 and 3') have been redacted to remove this information.

In making my decision, I have had regard to the following:

- The terms of your request;
- The content of the documents to which you have sought access;
- The outcome of the third party consultation process;
- Consultation with NHMRC officers with responsibility for the matters relating to the documents to which you sought access;
- The relevant provisions of the FOI Act. The FOI Act can be accessed via: www.comlaw.gov.au;
- The NHMRC's guidance material on the FOI Act;
- Documents on NHMRC's FOI processing file;
- The Office of the Australian Information Commissioner's guidelines published under section 93A of the FOI Act; and

Charges

The three documents within the scope of your request will be provided free of charge, in view of the minimal processing time associated with your request.

Your review rights

You are entitled to seek an internal review or Information Commissioner review of this decision. A fact sheet (Factsheet 12) explaining your review rights is available from the OAIC website at <http://www.oaic.gov.au/freedom-of-information/foi-resources/freedom-of-information-fact-sheets/foi-factsheet-12-your-review-rights>. We



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encourage you to seek internal review as a first step as it may provide a more rapid resolution of any concerns you may have.

Internal review:

If you wish to seek an internal review, you must apply to NHMRC within 30 days of the date of this letter.

An application for internal review of the decision made must be in writing. No particular form is required, however it is helpful if you set out in your application, the grounds on which you consider that the decision should be reviewed.

An application for internal review can be sent by email to foi@nhmrc.gov.au or by post to:

The FOI Co-ordinator
National Health and Medical Research Council
GPO Box 1421
Canberra
ACT 2601

If requested, 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.



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Contacts

If you require clarification of a matter raised in my decision, please contact me on 02 6217 9286 or by emailing FOI@nhmrc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Samantha Robertson'.

Samantha Robertson
Executive Director, Evidence, Advice and Governance
14 May 2015

Encl.

- 1: Letter from Office of Health Protection dated 16 August 2011;
- 2: Letter from Coroner Dingwall dated 25 January 2013; and
- 3: Minute and letter from NHMRC to Coroner Dingwall dated 14 February 2013.