

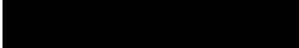


Australian Government
Department of Defence

Freedom of Information
CPI-6-001
PO Box 7910
CANBERRA BC ACT 2610
Tel: 02 626 62200
Fax: 02 626 62112
FOI@defence.gov.au

Our reference: FOI 106/15/16



By email: 

Dear 

NOTICE OF DECISION ON FREEDOM OF INFORMATION REQUEST

1. I refer to your correspondence of 30 October 2015, in which you agreed to the following scope of your request for access, under the *Freedom of Information Act 1982* (FOI Act), to:

“... documents relating to the Department of Defence’s policy guidelines for treatment of ADF members or persons wishing to join the ADF with:

- 1. HIV; and or*
- 2. Hepatitis B; and/or*
- 3. Hepatitis C;*
- 4. and/or past infection with either Hepatitis B or C.*

We have been unable to locate current versions of the requested documents on the internet.

Accordingly, our FOI request is as follows:

- 1. The current version/ document to the effect of the Health Manual (HLTHMAN) vol 3, part 1—Medical Employment Classification System that contains the guidance and directions for the application of the revised MEC System, including all annexures;*
- 2. The current version/ document to the effect of Defence Instruction (General) (DI(G)) PERS 16–15—Australian Defence Force Medical Employment Classification System, including all annexures;*
- 3. The current version/ document to the effect of Defence Instructions DI(A) PERS 124–29 Medical Employment Classification System in the Australian Army, including all annexures;*

4. *The current version/ document to the effect of Defence Instructions DI(A) PERS 159-1— The Application of the Medical Employment Classification System and PULHEEMS Employment Standards in the Australian Army, including all annexures; and*
5. *The current version/ document to the effect of Health Directive (HD) 210— Policy on the Prevention, Detection and Management of Blood Borne Virus Infection, including all annexures.*

We require the above named documents in their entirety.”

Background

2. We advised you of the preliminary assessment of charges for the processing of your request, and you paid the required deposit on 6 November 2015.
3. We advised you that the statutory deadline for you to receive a response to your request is 18 December 2015.
4. The purpose of this letter is to provide you with the decision relating to the documents that are the subject of your request.

FOI decision maker

5. Mr Paul Naveau, Director Health Material Logistics and Pharmacy, Joint Health Command is the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

6. Mr Naveau identified the following four documents as matching the description of your request:
 - a. Health Manual (HLTHMAN) Vol 3, part 1 - *Medical Employment Classification System* (including all annexes); **[Serial 1]**
 - b. Defence Instruction DI(A) PERS 124-29 - *Medical Employment Classification System in the Australian Army*, (including all annexes); **[Serial 2]**
 - c. Defence Instruction DI(A) PERS 159-1 - *The Application of the Medical Employment Classification System and PULHEEMS Employment Standards in the Australian Army*, (including all annexes); and **[Serial 3]**
 - d. Health Directive (HD) 210 - *Policy on the Prevention, Detection and Management of Blood Borne Virus Infection*, (including all annexes). **[Serial 4]**
7. In identifying the above documents, Mr Naveau noted that the document DI(G) PERS 16-15 - *Australian Defence Force Medical Employment Classification System*, subject to **Item 2** of your request, was cancelled with effect 25 October 2013 and has not been re-issued per se. However, the contents of DI(G) PERS 16 -15 were incorporated within HLTHMAN Volume 3 which is included in the scope of **Item 1**.

Decision

8. Mr Naveau decided to release all the identified documents in full. A copy of the documents in the form approved for release is at Enclosure 1.

Payment of Charges

9. On this occasion, Ms M Rueckert, Assistant Director FOI, decided to exercise her delegation to cap the charges payable to the deposit amount already paid.

FOI Disclosure Log

10. In accordance with the requirements of section 11C of the FOI Act, Defence is required to publish details of information released under the FOI Act. Defence publishes identified documents relating to requests within five working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions.

Your Review Rights***Internal Review***

11. Under the provisions of section 54 of the FOI Act, you are entitled to request a review of this decision. You must request a review, in writing, within 30 days of the date of this letter, or the date you receive the documents. Requests can be sent to:

Email: FOIReview@defence.gov.au
 Fax: 02 626 62112
 Post: Freedom of Information Directorate - Reviews
 Department of Defence
 CP1-6-029
 PO Box 7910
 CANBERRA BC ACT 2610

Australian Information Commissioner

12. Under the provisions of section 54 of the FOI Act, you are also entitled to request an external review of this decision by the Australian Information Commissioner. You have 60 days to lodge such a request, using one of the contact methods below:

Email: enquiries@oaic.gov.au
 Phone: 1300 363 992
 Fax: 02 9284 9666
 Post: GPO Box 2999
 Canberra ACT 2601

Complaints

13. You may complain to Defence, the Information Commissioner or the Commonwealth Ombudsman about an action taken by Defence in the exercise of its power or the performance of its functions under the FOI Act. There is no fee for making a complaint. Should you wish to complain to the Department of Defence, your complaint can be addressed to Mr Tony Corcoran using the contact details below:

Email: tony.corcoran@defence.gov.au
 Post: Tony Corcoran

Assistant Secretary Information Management and Access Branch
CP1-6-14
PO Box 7911
CANBERRA BC ACT 2610

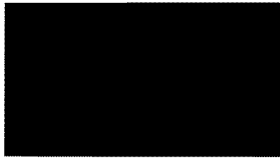
14. Contact details for the Commonwealth Ombudsman are below:

Phone: 1300 362 072)
Fax: 02 6276 0123
Post: Commonwealth Ombudsman
GPO Box 442
CANBERRA ACT 2601

15. Contact details for the Information Commissioner are above.

16. Should you have any questions in regard to this matter please contact this office.

Yours sincerely



John Peterson
Case Officer
Freedom of Information

14 December 2015

Enclosure:

1. Document approved for release