



[BN8616907]

FOI 091/19/20 STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by _____ under the *Freedom of Information Act 1982* (FOI Act), for access to:

“Consequently, I request that the following information be made available:

- a. The complete uncensored/unredacted copy of the Safety Management Plan; including*
 - b. The identities of the drafting and approving officers (page 18);*
 - c. The date in April 2011 that Mr Anthony Klenthis (Head of Explosive Ordnance Division) signed the document thus changing the version from Draft to Version 1.0 (page 16);*
 - e. In addition to the complete copy of the Explosive Ordnance Division Occupational Health and Safety Management Plan 2011 (V 1.0), I request the complete uncensored/unredacted minutes/records of the Explosive Ordnance Division Business Plan Review (BPR) held biannually at the Brindabella theatre for the period 01 April 2011 to 30 June 2012.*
- Excluding duplicates and drafts of documents.”*

FOI decision maker

2. I am the authorised officer pursuant to section 23 of the FOI Act to make a decision on this FOI request.

Documents identified

3. I note that as specified, the request consists of four parts, identified as parts (a), (b), (c) and (e).

4. I identified one document as matching the description of parts (a) and (b) of the request. I have added an FOI reference number to the document.

5. Despite extensive searches for documents matching the description of parts (c) and (e) of the request, no relevant documents were identified.

Decision

6. I have decided to:

- a. release one document relating to parts (a) and (b) of your request in full; and
- b. refuse access to documents relating to parts (c) and (e) of the request under section 24A of the FOI Act.

Material taken into account

7. In making my decision, I had regard to:

- a. the terms of the request;

- b. the content of the identified documents in issue;
- c. relevant provisions in the FOI Act;
- d. the Guidelines published by the Office of the Australian Information Commissioner under section 93A of the FOI Act (the Guidelines); and
- e. advice received from officers within the Capability, Acquisition and Sustainment Group.

Reasons for decision

Section 24A – Refusal if documents cannot be found

8. Subsection 24A(1)(b)(i) of the FOI Act allows refusal of access if the agency is satisfied the document cannot be found. Searches did not reveal any documents relating to parts (c) and (e) of your request.

9. The former Explosive Ordnance Division migrated its electronic records to the current Defence records management system in 2012 and was disbanded in early 2014. At that time, the former Guided Weapons Branch transferred to Helicopter Systems Division, the former Munitions Branch transferred to Land Systems Division, and the Explosive Ordnance Division executive management team, (which sponsored the Occupational Health and Safety Management Plan and the Business Plan Review meetings), was dissolved. In early 2016 the Guided Weapons and Munitions branches were combined to form a single Explosive Materiel Branch within the Joint Systems Division.

10. Searches of both the current and former electronic records management systems have not located any documents relevant to parts (c) or (e) of the request. Searches of the current and previous document registers have also not located any such documents. During the 2012 data migration, paper copies of all contemporary Explosive Ordnance Division records then in existence were identified and stored for future reference. Consequently, searches of the electronic records management system also addressed the requirement to search for printed copies.

11. A considerable length of time has elapsed since the period to which the enquiry relates during which there have been changes to both organisational structures and personnel. Based on these factors and the results of the searches conducted I am satisfied that no documents could reasonably be found as matching parts (c) and (e) of your request. Accordingly I have decided to refuse access under section 24A of the FOI Act.

ChrisHorscro
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ChrisHorscroft

Date: 2019.09.27 17:51:31
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Mr Chris Horscroft
Accredited Decision Maker
Capability and Sustainment Group

September 2019