



DEFENCE FOI 270/22/23 - STATEMENT OF REASONS UNDER THE FREEDOM OF INFORMATION ACT

1. I refer to the application by [REDACTED], received on 24 November 2022 by the Department for Defence, under the *Freedom of Information Act 1982* (FOI Act) for access to:

“1. Any material in Defence Health Manual, Defence Personnel Manual, and subordinate or related policy documents, that outlines circumstances under which ADF members and prospective members may be required to personally undertake genetic testing, or disclose the results of genetic testing they have undertaken personally, or disclose the results of genetic testing that has been undertaken by their family members, and how that information is/will/may be stored and used.

2. Any material in Defence Health Manual, Defence Personnel Manual, and subordinate and related policy documents, that outlines circumstances under which ADF members and prospective members may be required to provide genetic material for testing, and how that information is/will/may be stored and used.

3. Any material in Defence Health Manual, Defence Personnel Manual, and subordinate or related policy documents, that outlines circumstances under which ADF members and prospective members may be required to provide information relating to the health of family members, and how that information is/will/may be stored and used.

Please note that the scope of this enquiry extends beyond genetic testing for diagnostic and health screening purposes, to include policies relevant to use of genetic material for any other purposes, including for example forensic identification.

I am explicitly interested in policy documents, not documents likely to contain any information which could identify particular members”

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 identified one document as matching the description of the request.

Decision

4. I have decided to:

- a. release one document in full; and
- b. remove irrelevant material under section 22 of the FOI Act.

Material taken into account

5. 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

Reasons for decision

Section 22 – Edited copies with exempt or irrelevant matter deleted

6. Section 22 of the FOI Act provides that if an agency or Minister decides:

(i) to refuse access to an exempt document; or

(ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access

and it is reasonably practicable to prepare a copy of the document modified by deletions, the agency or Minister must give the applicant access to the edited copy.

7. The documents provided contain information that does not relate to the scope of the request. I consider this information as outside the scope of this request.

8. Considering the above, I decided that it was reasonably practicable to remove the material that did not fall within scope of this request and release the documents in that form.



Accredited Decision Maker
Joint Capabilities Group