



**FREEDOM OF
INFORMATION
STATEMENT**

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1. INTRODUCTION

The *Freedom of Information Act 1992* ("FOI Act") was established in order to enhance the public's participation in government and increase the accountability of State and local governments.

The FOI Act requires agencies such as ChemCentre to make available details about the kind of documents it holds and provide information as to how they can be accessed, unless they are an exempt agency (listed at Schedule 2 of the FOI Act).

Along with enabling the public to understand how government and its agencies operate, the FOI Act allows people to obtain and seek amendment to personal information about themselves if they feel what is held on the public record is "inaccurate, incomplete, out of date or misleading" (section 45 of the FOI Act).

2. CHEMCENTRE

ChemCentre is a statutory authority formed under the *Chemistry Centre (WA) Act 2007*.

ChemCentre is Western Australia's leading chemical and forensic service provider.

ChemCentre provides a comprehensive range of scientific services, working with a wide range of clients including government agencies, universities, environmental consultants, primary producers, exporters, retailers and the general public.

Through the provision of chemical information, advice and analytical services ChemCentre also mitigates risks to government, protect the community and environment and support sustainable development. Within its areas of expertise, ChemCentre contributes to scientific education and knowledge in WA; and operates a successful consulting business.

The products and services include:

- Scientific and research support in the areas of public and occupational health, conservation and the environment, industrial development, food and agriculture
- Forensic science services support to the Police, State Coroner and the racing industry
- Providing emergency and crisis response services to government agencies and industry for chemical incidents
- Contributing to the development of national chemical conformance standards and guidelines

ChemCentre is involved with issues concerning sustainable development, occupational health and environment protection – as well as a lead responsibility for the provision of emergency response capacity to deal with major chemical incidents and the threat of terrorist CBR (chemical, biological and radiological) activities.

While continuing to be a provider of high quality scientific services to research groups, ChemCentre also provides a key role in the well-being of our community by providing forensic services to the Western Australian Police and the State Coroner and scientific expertise and advice to other agencies tasked with protecting public health and managing environmental issues.

The structure of ChemCentre and the wide range of skills in forensic, organic, inorganic, residue, environmental, agricultural, soil, mineral, synthetic and regulatory chemistries make the organisation uniquely equipped to deal with the multi-faceted nature of the problems which these new and evolving tasks involve. For instance, these skills are necessary to address the rapid identification of and characterisation of emergency response unknown chemicals and the issues associated with contaminated sites.

2. ENABLING LEGISLATION

ChemCentre is a statutory authority established by the *Chemistry Centre (WA) Act 2007 (the Act)*. This Act was proclaimed with affect from 1 August 2007.

Prior to this legislation, ChemCentre was a division within the then Department of Industry and Resources.

The *Chemistry Centre (WA) Regulations 2007*, which were subject to gazettal on the 27 July 2007, came into effect on commencement of the Act, that is, on 1 August 2007.

3. VISION AND MISSION

Our Vision

ChemCentre is Western Australia's leading provider of specialised chemical and forensic science services.

Our Mission

ChemCentre provides chemical and forensic science services for a safe and prosperous Western Australia.

4. ORGANISATION FUNCTION AND DECISION-MAKING FUNCTIONS

As a statutory authority enabled under the Chemistry Centre (WA) Act 2007, ChemCentre is governed by an experienced Board, delivering the leadership that maintains our position as WA's leading chemical analysis services provider. The ChemCentre Board reports to the Minister for Science.

In accordance with the provisions of the legislation, the Board has delegated day to day management responsibilities to the Chief Executive Officer. Some of these functions have been sub-delegated to others in the organisation as appropriate.

The organisation is structured into three operational areas under the CEO being:

- Scientific Services Division
- Forensic Science Laboratory
- Business and Corporate Services

The Corporate Executive group consisting of the CEO, divisional Directors, Director Business and Corporate Services, Human Resources and Information Services Manager, and the Media and Communications Manager meets monthly. Its role is to manage the delivery of quality services to clients of ChemCentre and drive the achievement of the strategic objectives of the Government and the Board.

5. PUBLIC PARTICIPATION IN THE FORMULATION OF POLICY

ChemCentre conducts regular customer service surveys as a source of input to its ongoing review of performance of key business outcomes.

No formal public participative system exists to hear customer complaints or deal with policy issues.

6. DOCUMENTS HELD BY CHEMCENTRE

ChemCentre has a number of publications freely available to the community. These include:

- Annual Report
- Statement of Corporate Intent; and
- A broad range of brochures and publications relating to the scientific services and research undertaken by ChemCentre.

ChemCentre also maintains standard statutory information and records required for the operation of the business and personnel functions. These fall into the following categories and while not published for general distribution, where appropriate, relevant summary information is published as part of ChemCentre's annual reporting compliance obligations:

- Policy, legislation and legal advice;
- Policy manuals and guidelines;
- Operational procedures;
- Personnel and human resource records;
- Finance and administration;
- Contracts;
- Collaborative research agreements;
- Agendas, papers tabled and minutes of meetings;
- Information, communication and technology;
- Office/business equipment and supplies;
- Advertising, promotion and media;

- Statutory compliance and risk management;
- Tenders and purchasing.

7. OPERATION OF FREEDOM OF INFORMATION PROCESS

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, the *Freedom of Information Act 1992* (FOI Act) provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up to date and not misleading.

7.1 Legislative Requirements

ChemCentre is required to comply with the provisions of the *FOI Act* of which the central features are:

- It confers upon persons a right to apply for access to information held by ChemCentre;
- It confers upon individuals a right to apply to ChemCentre for amendment to personal information; and
- It places obligations on ChemCentre to make publicly available certain information about its operations.

Consideration of all FOI applications at ChemCentre is dealt with in accordance with the FOI Act, FOI Policy and Practice Guide and FOI Implementation Guidelines prepared by the Office of the Information Commissioner.

7.2 ChemCentre FOI Coordinator

ChemCentre has appointed a Freedom of Information Coordinator with responsibility for:

- Administering all aspects of the FOI Act;
- Ensuring statutory compliance; and
- Making all initial decisions concerning FOI applications.

7.3 How to Apply for Access to Information

Before submitting an application, ChemCentre encourages applicants to discuss their request prior to submission. The discussion will also clarify the Freedom of Information process and determine what information and documents are freely available (at no charge).

Under section 12 of the FOI Act, FOI applications must:

- Be in writing;
- Give enough information so that the documents requested can be identified;

- Give an Australian address to which notices can be sent; and
- Be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to the Freedom of Information Coordinator, ChemCentre, PO Box 1250, Bentley Delivery Centre WA 6983 or telephone (08) 9422 9805. Applications may be in the form of a letter or by using the application form – a copy of which is included at Attachment A.

Applications will be acknowledged in writing and the applicant will be notified of the decision within 45 (calendar) days.

7.4 Freedom of Information Charges

Under section 16(1)(d) of the FOI Act, no fee or charge is payable for access to, or amendment of, personal information. However, under section 12(1)(e), a fee is payable for FOI applications which request access to non-personal information.

The following table details the fees and charges applicable under the FOI Act. Please note that other than the application fee for non-personal information, all charges are made at the discretion of ChemCentre.

Types of Fees and Charges

• <i>Personal information about the applicant</i>	<i>No fee</i>
• <i>Application fee (for non-personal information)</i>	<i>\$30.00</i>
• <i>Charge for time dealing with the application (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Access time supervised by staff (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Photocopying staff time (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Per photocopy</i>	<i>\$0.20</i>
• <i>Transcribing from tape, film or computer (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Duplicating a tape, film or computer information</i>	<i>Actual Cost</i>
• <i>Deliver, packaging and postage</i>	<i>Actual Cost</i>

Deposits

<i>Advance deposit may be required of the estimated charges</i>	<i>25%</i>
<i>Further advance deposit may be required to meet the charges for dealing with the application</i>	<i>75%</i>

For financially disadvantaged applicants or the issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

7.5 Access Arrangements

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

Notice of Decision

As soon as possible but, in any case within 45 days, the applicant will be provided with a notice of decision which includes details such as:

- the date which the decision was made;
- the name and the designation of the officer who made the decision;
- if the document is an exempt document the reasons for classifying the matter exempt, or the fact that access is given to an edited document; and
- information on the right to review and the procedures to be followed to exercise those rights.

Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an **internal review** by the agency. Application should be made in writing within 30 days of receiving the notice of decision.

Applicants will be notified of the outcome of the review within 15 days.

If the applicant disagrees with the result the applicant can apply to the Information Commissioner for an **external review**, and details would be advised to applicants when the internal review decision is issued.

7.6 Amendment of Personal Information

While the nature of ChemCentre's business means relatively little personal information is required or recorded, an applicant has the right to apply for the amendment of his or her personal information if it is inaccurate, incomplete, out of date or misleading.

Such applications must state whether the person wishes the amendment to be made by altering information, striking out or deleting information, inserting information or inserting a note in relation to the information.

There are no fees or charges for amending personal information.

Further information can be obtained from the Coordinator, Freedom of Information.

8. OFFICE OF THE INFORMATION COMMISSIONER

The role of the Information Commissioner is to independently review access decisions where there is a conflict in relation to the release of documents under the *Freedom of Information Act 1992*.

The Information Commissioner also provides independent advice and assistance to both applicants and agencies on matters relevant to the Act.

Should you require further information please visit the Information Commissioner's website.

9. CONTACTS

9.1 Freedom of Information Co-ordinator

ChemCentre
PO Box 1250
BENTLEY DELIVERY CENTRE WA 6983
Tel: 08 9422 9805
Fax: 08 9422 9801
Email: imiller@chemCentre.wa.gov.au

9.2 Office of the Information Commissioner, Western Australia

469 Wellington Street
PERTH WA 6000
Tel: 08 6551 7888

APPLICATION FOR ACCESS TO DOCUMENTS

(Under Freedom of Information Act 1992, S.12)

SEE NOTES OVERLEAF FOR INFORMATION

DETAILS OF APPLICANT

Surname:Given Names:

Australian Postal Address:

.....

Postcode: Telephone Number(s).....

.....

If application is on behalf of an organisation (*name of organisation/business*):

.....

DETAILS OF REQUEST

Personal: Non-personal: (*please tick appropriate box*)

I am applying for access to document(s) concerning.....

.....

.....

.....

FORM OF ACCESS

I wish to inspect document(s) yes no (*please tick appropriate box*)

I require a copy of the document(s) yes no

I require access in another form yes no (specify).....

.....

FEES AND CHARGES (No fee is payable for personal information relating to applicant)

Attached is a cheque/cash to the amount of \$30.00 to cover the application fee. I understand that before I obtain access to documents I may be required to pay processing charges (See Page 2) in respect of this application and that I will be supplied with a statement of charges if appropriate.

(In certain cases a reduction in fees and charges may apply – see page 2. If you consider you are entitled to a reduction, please submit a request with copies of supporting documentation.)

Applicant's signature: Date: /...../.....



(Office use only)

FOI Reference Number: Received on:

Deadline for response: Acknowledgment sent on:

Proof of identity attached (if applicable): YES / NO

Type:Sighted:

NOTES

FOI APPLICATIONS

Please provide sufficient information to enable the correct document(s) to be identified. Details can be provided on a separate sheet if necessary.

ChemCentre may request proof of your identity.

If you are seeking access to a document(s) on behalf of another person, ChemCentre will require written authorisation.

Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.

Further information can be obtained from ChemCentre's FOI Officer on 9422 9805. The *Freedom of Information Act 1992* is available from the State Law Publisher, 10 William Street, Perth 9321 7688. The FOI Act and other information on Freedom of Information, can be viewed online at the Office of the Information Commissioner's website, www.oic.wa.gov.au

FORMS OF ACCESS

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disc, a transcript of a recorded document or of words recorded in shorthand or encoded form, or a written document in the case of a document from which words can be reproduced in written form.

Where ChemCentre is unable to grant access in the form requested, access might be given in a different form. Where possible, information will be provided in a form suitable to accommodate people with disabilities or special needs.

FEES AND CHARGES

Application Fee

The application fee for non-personal information is \$30.00, as prescribed by the regulations. A cheque/money order/cash for the appropriate amount must accompany the application.

No application fee is payable for personal information relating to the applicant – S15 (1)(d) refers.

Other fees and charges for non-personal information

• <i>Personal information about the applicant</i>	<i>No fee</i>
• <i>Application fee (for non-personal information)</i>	<i>\$30.00</i>
• <i>Charge for time dealing with the application (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Access time supervised by staff (per hour, or pro rata)</i>	<i>\$30.00</i>
• <i>Photocopying staff time (per hour, or pro rata)</i>	<i>\$30.00</i>
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• <i>Deliver, packaging and postage</i>	<i>Actual Cost</i>

Deposits

Advance deposit may be required of the estimated charges 25%

Further advance deposit may be required to meet the charges for dealing with the application 75%

For financially disadvantaged applicants or the issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

LODGEMENT OF APPLICATIONS

Applications may be lodged in person or by post at-
ChemCentre FOI Officer

PO Box 1250

BENTLEY DELIVERY CENTRE WA 6983