

Dear [REDACTED]

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received originally by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) and then transferred under Section 57, to the ACT Health Directorate (ACTHD) on **Monday 21 June 2021**.

This application requested access to:

'Source code for the "CheckIn CBR" app, and the Azure API hosted at "chs-community-checkin-api.azurefd.net/'

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **COB Friday 16 July 2021**.

My access decisions are detailed further in the following statement of reasons. In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The contents of the documents that fall within the scope of your request; and
- The *Human Rights Act 2004*.

Decisions

I have decided to refuse access to the requested information under section 35(1)(c) of the FOI Act because the information would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the FOI Act.

I have identified that there are no relevant factors favouring disclosure of this information under Schedule 2.1.

I have identified the following factors favouring non-disclosure of this information under Schedule 2.2:

- Schedule 2.2 (a)(iii) prejudice security, law enforcement or public safety;
- Schedule 2.2 (a)(x) prejudice intergovernmental relations; and
- Schedule 2.2 (a)(xi) prejudice trade secrets, business affairs or research of an agency or person.

The information requested could reasonably be expected to be detrimental to the security, intergovernmental relations and business affairs of the agency. I have given significant consideration to whether the public would benefit from the release of this information and I believe it would not advantage the public in disclosing this information.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, ACTHD maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

<https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: ACTFOI@ombudsman.gov.au
Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely



Peter O'Halloran
Executive Group Manager - Chief Information Officer
Digital Solution Division
ACT Health Directorate

16 July 2021