



Decision and Reasons for Decision

Application Number: 310277

Applicant: Seven Network (Operations) Limited

Respondent: Safe Food Production Queensland

Third Party: Food business

Decision Date: 10 February 2012

Catchwords: **RIGHT TO INFORMATION – REFUSAL OF ACCESS – applicant sought information about failed food safety audits of a food business held by Safe Food Queensland – third party objects to disclosure – whether the information comprises exempt information – section 47(3)(a) and 48 of the *Right to Information Act 2009* (Qld) – whether disclosure of the information would, on balance be contrary to the public interest – section 47(3)(b) and 49 of the *Right to Information Act 2009* (Qld)**

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REASONS FOR DECISION

Summary

1. The applicant applied to Safe Food Production Queensland (**SFPQ**) for documents about failed health and safety audits in relation to a food business.¹
2. After consulting with the food business as an interested third party, SFPQ refused access to the documents on the grounds that the documents were exempt from release; or alternatively that their release would, on balance, be contrary to the public interest.²
3. The applicant applied to the Office of the Information Commissioner (**OIC**) for external review of SFPQ's decision.
4. On external review, OIC issued a preliminary view to SFPQ and the food business³ that the documents were not exempt and that disclosure of the documents was not, on balance, contrary to the public interest.⁴
5. SFPQ replied that it did not propose to be involved further in the external review process and therefore neither consented to, nor opposed the preliminary view.⁵
6. On 24 October 2011, the food business applied to participate in the external review,⁶ and provided submissions in response to OIC's preliminary view. In summary the food business contends that the prejudice to its business and privacy outweigh any other factors favouring disclosure in the public interest and access to the information should therefore be refused.
7. For the reasons set out below, I set aside SFPQ's decision refusing access to the information in issue, substituting a decision that the information in issue is to be released.

Significant procedural steps

8. Significant procedural steps relating to the application and external review are set out in the Appendix.

Reviewable decision

9. The decision under review is SFPQ's decision dated 11 June 2010.

¹ As the name of the food business forms part of the information in issue, I cannot reveal it in this decision. See section 108(3) of the *Right to Information Act 2009* (Qld) (**RTI Act**).

² SFPQ's decision dated 11 June 2010.

³ OIC also consulted with two other auditors who did not object to the preliminary view.

⁴ The food business in this review is the same entity which participated as a third party in the external review the subject of the recent decision *Channel Seven and Redland City Council* (Unreported, Queensland Information Commissioner, 30 June 2011) (**Seven and Redlands**) and *Food Business and Gold Coast City Council; third party Channel Sevel* (Unreported, Queensland Information Commissioner, 14 September 2011) (**Food business and Gold Coast**). The food business has made identical submissions on the public interest in this review as in *Seven and Redlands* and *Food business and Gold Coast*. It also made identical submissions on scope in *Food business and Gold Coast*. Therefore, much of my reasoning in those two previous cases is applicable in this case, and is referred to as relevant throughout these reasons.

⁵ The OIC took that to mean that SFPQ does not intend to make further submissions in this review and did not seek any further submissions from SFPQ. Nonetheless, SFPQ is a party to the review. Section 74 of the *Right to Information Act 2009* (Qld) (**RTI Act**) provides that the participants in an external review are the applicant and the agency or Minister concerned. In this case, SFPQ is the agency concerned. OIC confirmed this to SFPQ in a letter dated 8 November 2011.

⁶ Under section 89 of the RTI Act.

Evidence considered

10. Evidence, submissions, legislation and other material I have considered in reaching my decision is disclosed in these reasons (including footnotes and appendix).

What is the scope of this application?

11. The terms of the access application are:

Specifically I am seeking access to documents produced in the last 3 years showing information about [food business].

I am seeking copies of all failed food, health and or safety issues audits in relation to the shops at [locations] Queensland.⁷

12. SFPQ identified 48 folios (comprising an audit report and an accompanying corrective action request) as responsive to the access application.
13. The food business submits⁸ that none of the documents the subject of this external review fall within the scope of the access application because none of the information relates to 'failed' food health and or safety audits, rather they relate to reports and action requests on levels of compliance.
14. The food business raised this argument in the matters *Food business and Gold Coast*, and *Seven and Redlands*. I did not accept it in those cases and I do not accept it here for the same reasons. As the Assistant Information Commissioner said in *Food business and Gold Coast*,⁹ an access applicant is not required to frame an application using the specific technical terminology contained in particular legislation or as used by government agencies. An applicant is merely required to provide enough information to allow an agency to identify requested documents.¹⁰
15. The food business submits the words of the access application are not sufficient to identify the documents and only those that fall strictly within the terms of the application should be considered.¹¹ Interpreting an access application is not an exercise equivalent to construing a statute or other legal document; the object is to ascertain the applicant's intention,¹² and generally an application should be interpreted broadly.¹³
16. I am satisfied in this case that the applicant, in using the word 'failed', was seeking to access information such as the information in issue. The application provided sufficient information to allow SFPQ to identify the information, and it falls within the scope of the access application.

Information in Issue

17. The information in issue in this review is the 48 folios of documents described at paragraph 12. It does not include the names of the auditors because the applicant does not wish to pursue access to this personal information.

⁷ Access application dated 14 April 2010.

⁸ In a submission to OIC dated 24 October 2011.

⁹ At paragraph 15.

¹⁰ Section 24(2)(b) of the RTI Act.

¹¹ Food business' submission to OIC dated 24 October 2011.

¹² For the principles applicable to the interpretation of access applications see *Cannon v Australia Quality Egg Farms Ltd* (1994)

¹ QAR 491 at paragraph 10.

¹³ See *Wenzel and Secretary, Department of Defence* [2005] AATA 1174 at paragraph 9.

Relevant law

Onus on external review

18. Section 87(1) of the RTI Act provides that on external review, the agency or Minister who made the decision has the onus of establishing that the decision was justified.

Right to access information

19. Under section 23 of the RTI Act, a person has a right to be given access to documents of an agency. However, this right is subject to a number of exclusions and limitations, including grounds for refusal of access. These grounds are contained in section 47 of the RTI Act.
20. Sections 47(3)(a) and 48 of the RTI Act provide that access may be refused to a document to the extent that it comprises 'exempt information'. Schedule 3 sets out the types of information which the Parliament has considered to be 'exempt information' as its disclosure would, on balance, be contrary to the public interest.
21. Sections 47(3)(b) and 49 of the RTI Act provide a ground for refusal of access where disclosure of information would, on balance, be contrary to the public interest. In determining whether disclosure of the information sought would, on balance, be contrary to the public interest I must:¹⁴
- identify and disregard irrelevant factors
 - identify factors favouring disclosure of the information in the public interest
 - identify factors favouring nondisclosure of the information in the public interest
 - balance the relevant factors favouring disclosure and nondisclosure; and
 - decide whether disclosure of the information would, on balance, be contrary to public interest.
22. In making this decision I have considered whether the information in issue:
- is exempt information disclosure of which could:
 - found an action for breach of confidence¹⁵
 - reasonably be expected to endanger a person's life or physical safety¹⁶
 - reasonably be expected to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law¹⁷
 - reasonably be expected to prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety;¹⁸ and
 - reasonably be expected to prejudice a system or procedure for the protection of persons;¹⁹ or
 - is information whose disclosure would, on balance, be contrary to the public interest.²⁰

¹⁴ Section 49(3) of the RTI Act.

¹⁵ Schedule 3, section 8 of the RTI Act.

¹⁶ Schedule 3, section 10(1)(c) of the RTI Act

¹⁷ Schedule 3, section 10(1)(f) of the RTI Act.

¹⁸ Schedule 3, section 10(1)(g) of the RTI Act.

¹⁹ Schedule 3, section 10(1)(i) of the RTI Act.

²⁰ Section 47(3)(b) and 49 of the RTI Act.

Exempt information

Breach of confidence

23. Information will be exempt if its disclosure would found an action for breach of confidence in equity.
24. The following elements must be established to give rise to an equitable obligation of confidence:
 - a) information must be capable of being specifically identifiable as information that is secret, rather than generally available
 - b) information must have the necessary quality of confidence
 - c) circumstances of the communication must create an equitable obligation of confidence
 - d) disclosure to the applicant for access must constitute an unauthorised use of the confidential information; and
 - e) disclosure must cause detriment to the plaintiff.²¹
25. I am satisfied that disclosure of the information in issue would not found an action for breach of an equitable obligation of confidence because the information has not been communicated in circumstances which import an equitable obligation of confidence.

(c) circumstances of communication

26. All the relevant circumstances in which information was received must be considered to determine whether the party who received the information is bound by an obligation of confidence. The Information Commissioner has previously indicated²² that the relevant circumstances to consider include, but are not limited to the:
 - nature of the relationship between the parties
 - nature and sensitivity of the information
 - purpose/s for which the information was communicated
 - nature and extent of any detriment to the interests of the information-supplier that would follow from an unauthorised disclosure of the information; and
 - circumstances relating to the communication.
27. The information in issue is information obtained by SFPQ auditors upon entering the food business and carrying out their statutory functions. SFPQ submits that auditors conducting audits on its behalf are under an obligation to keep information obtained during audits confidential because of the confidentiality requirements of SFPQ's Approved Auditor's Code of Conduct 2008 (**Auditor's Code of Conduct**). The Auditor's Code of Conduct states that:

Confidential information received by an auditor in the course of the exercise of their duties remains the property of the auditee and SFPQ. It is improper to disclose that information or allow it to be disclosed, unless that disclosure has been authorised by SFPQ, and the persons from whom the information is provided, or is required by law.²³

²¹ The Queensland Information Commissioner identified these requirements in *B and Brisbane North Regional Health Authority* [1994] QICmr 1 (**B and BNRHA**) in applying the equivalent exemption under the repealed *Freedom of Information Act 1992* (Qld). See also *Corrs Pavey Whiting & Byrne v Collector of Customs (Vic) and Another* (1987) 14 FCR 434 (**Corrs Pavey**) at 437 per Gummow J. The recent decision of *TS008G and Queensland Health* (Unreported, Queensland Information Commissioner, 13 December 2011) confirmed the requirement of detriment in RTI cases.

²² *B and BNRHA* at paragraph 84.

²³ Guiding principles - at page 4 of the Auditor's Code of Conduct.

*Outside of the recognised audit reporting process, an auditor shall not disclose official or commercial information to any person or agency unless:
an auditor is authorised to release the information under a statute, regulation or code under the Public Sector Ethics Act 1994 (e.g. information approved for release under the Freedom of Information Act 1992)²⁴*

28. This confidentiality requirement does not prohibit disclosure under the RTI Act, rather, it makes it clear that unauthorised disclosure is improper and indicates that an auditor is generally expected to keep such information confidential. I do not consider that this, by itself, is sufficient to create an equitable obligation of confidence. The requirement in the Code of Conduct is aimed at ensuring that auditors do not release information through improper processes. The RTI process is a proper process and is a release required by law; something specifically contemplated by the Code of Conduct.

29. SFPQ also submits:²⁵

In every audit, SFPQ relies heavily on the essential cooperation of the accreditation holder in allowing access to premises, staff and records, taking the auditor to all relevant parts of the premises and its equipment....cooperation by accreditation holders is critical to ensuring that audits are effective.

30. I do not accept SFPQ's submission that it needs to rely on the cooperation of accreditation holders (such as the food business) to ensure the success of audits. SFPQ auditors have powers mandating the cooperation of accreditation holders under the *Food Production (Safety) Act 2000 Qld (Food Safety Act)*. Accreditation holders are obliged to cooperate with auditors or face a penalty.²⁶ There is a statutory obligation to assist, irrespective of the views of SFPQ or accreditation holders.²⁷

31. SFPQ goes on to submit:²⁸

This cooperation is largely achieved through a shared understanding between the accreditation holder and the auditor that information and business practices observed during the audits is commercial in confidence and remains only between the auditor, the client and SFPQ.

32. As stated above, auditors are charged with enforcing the obligations set out in the Food Safety Act and the food business is obliged to cooperate with the auditors in order to maintain its certification. SFPQ's submission that auditor's and food businesses have an understanding of confidentiality between them is not reasonable in the context of the operative statutory framework. How, for example, would the understanding of confidence operate if a food business were to be prosecuted for an offence under the Food Safety Act. SFPQ is a government entity charged with enforcing the Food Safety Act. This obligation does not extend to maintaining a commercial in confidence relationship with the entities that it is responsible for regulating. I consider such a relationship to be incompatible with that obligation.

²⁴ At page 8 of the Auditor's Code of Conduct.

²⁵ SFPQ's decision dated 11 June 2010.

²⁶ Generally see Part 8 of the Food Safety Act – Enforcement, investigation and offences. SFPQ also pointed this out at paragraph 42 of its decision.

²⁷ See the comment in note 15 in *Food business and Gold Coast City Council* which states 'Businesses must cooperate with Council investigators or face a penalty. In these circumstances, there can be no expectation of confidentiality nor prejudice to the future supply of like information to Council.'

²⁸ SFPQ's decision dated 11 June 2010.

33. I am therefore satisfied that the requirement of an obligation of confidence is not established and consequently disclosure of the information in issue would not found an action in equity for breach of confidence.
34. As I am satisfied that the requirement is not met, it is not necessary for me to consider the application of the other elements comprising an equitable obligation of confidence.

Remaining exemption claims

35. SFPQ has also claimed that the information in issue is exempt because its disclosure could reasonably be expected to:
- endanger a person's life or physical safety
 - prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law
 - prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety; and
 - prejudice a system or procedure for the protection of persons.
36. SFPQ has simply listed these exemption provisions without providing any supporting argument or evidence. SFPQ has not discharged its statutory onus²⁹ of demonstrating that its decision to refuse access to information was justified. There is nothing in SFPQ's decision or the information before me to suggest that any of the harms anticipated by these provisions could reasonably be expected³⁰ to occur were the information to be disclosed. SFPQ has not provided any submissions in response to OIC's preliminary view in which this was stated. Instead SFPQ stated that it does not propose to be involved further in the external review process and therefore that it neither consents to, nor opposes the preliminary view.³¹
37. SFPQ's claim that disclosure could reasonably be expected to endanger a person's life or physical safety appears to be misconceived. To establish this exemption SFPQ must identify a target or targets of endangerment, a source of danger, and provide credible evidence of a risk that disclosure of the audit reports would endanger the target's life or physical safety. This has not occurred.
38. As for the balance of the exemptions summarised above, it may be that SFPQ is arguing that disclosure of the information in issue would damage the cooperative relationship it asserts that it enjoys with accreditation holders, therefore preventing SFPQ from carrying out its regulatory duties and resulting in the various harms the provisions cited above seek to avoid. For example, Safe Food submits at page 24 of its decision:

The release of the documents in the schedule would cause the cooperation by the industry and other industries to be adversely affected to such an extent as to imperil the effectiveness of audits conducted by SFPQ.

If this access and cooperation were lost, then there is an unacceptable risk that public health and safety would be at risk and the public no longer protected.

²⁹ Under section 87(1) of the RTI Act.

³⁰ Noting that the phrase 'could reasonably be expected to' requires an expectation that is reasonably based, ie. neither absurd, irrational or ridiculous.

³¹ The OIC took that to mean that SFPQ does not intend to make further submissions in this review and did not seek any further submissions from SFPQ. Nonetheless, SFPQ is a party to the review. Section 74 of the RTI Act provides that the participants in an external review are the applicant and the agency or Minister concerned. In this case, SFPQ is the agency concerned. OIC confirmed this to SFPQ in a letter dated 8 November 2011.

39. SFPQ has provided no evidence to support its assertion that disclosure of audit reports would adversely affect 'cooperation' with industry participants.
40. In any case, the submission appears to misconceive the nature of the regulatory regime prescribed in the Food Safety Act. SFPQ is a regulatory agency charged with enforcing mandatory obligations imposed by that Act. It would appear that the only way in which the prejudice anticipated in the various exemption provisions cited could reasonably be expected to occur would be if SFPQ was to abandon its statutory responsibilities and regulatory duties. Accordingly, even if SFPQ could demonstrate that disclosure would affect its relationships with industry participants as asserted, there is nothing before me to suggest that this would in turn imperil the mandatory protective regime prescribed in the Food Safety Act, such as by allowing industry participants to subvert the audit process.
41. I therefore do not consider that disclosure of the information in issue could reasonably be expected to have any of the adverse consequences envisaged in the relevant exemptions relied upon by SFPQ.

Where does the balance of the public interest lie in this matter?

42. I am satisfied that release of the information in issue would not, on balance, be contrary to the public interest for the reasons that follow.
43. I have examined the irrelevant factors in schedule 4 of the RTI Act and do not consider that any irrelevant factors arise here.
44. As noted earlier in this decision, the food business in this review is the same entity which participated as a third party in the external review the subject of the recent decisions *Seven and Redlands* and *Gold Coast City Council*. The food business has made substantially the same submissions on the public interest in this review as in the two previous reviews; so much of the reasoning in the two previous cases applies in this case.³²

Factors raised which do not apply

45. SFPQ and the food business have raised a number of public interest factors favouring nondisclosure which are either misconceived or no longer relevant. I discuss each briefly below.
 - ***Prejudice the competitive commercial activities of an agency.*** The information in issue concerns statutory functions - not competitive commercial activities - carried out by SFPQ, a regulatory agency. This factor does not arise for consideration.
 - ***Prejudice the conduct of investigations, audits or reviews by the Ombudsman or Auditor-General.*** The information concerns audits carried out by SFPQ. SFPQ is not the Ombudsman or Auditor-General. This factor cannot arise.

³² This external review considers a different Act than *Seven and Redlands* and *Food business and Gold Coast City Council* – the Food Safety Act – however, the Acts considered in the published decisions are sufficiently analogous to the Food Safety Act for the reasoning to apply to this external review.

- **Prejudice an individuals' right to privacy/disclose personal information of a person.** As noted above, the applicant is not pursuing access to personal information. This factor does not, therefore, arise for consideration.

Factors which presuppose a cooperative relationship

46. SFPQ has raised various nondisclosure factors³³ which are based on the same reasoning discussed above in the context of SFPQ's exemption claims, i.e. that disclosure will prejudice a cooperative relationship SFPQ asserts it has with industry participants, and thus lead to various adverse outcomes.
47. Again, I note that SFPQ has provided no evidence to suggest that disclosure would lead to such prejudice. In any event, as discussed above, the information in issue is not confidential communications obtained through a relationship of trust or mutual cooperation (with either accreditation holders or third parties), but consists of independent audit records derived through the exercise of coercive statutory powers by official auditors.
48. There is nothing before me to suggest that disclosure of these documents could reasonably be expected to cause the prejudicial outcomes claimed. Therefore, these various factors do not arise for consideration in this case.
49. As regards SFPQ's claim that disclosure would prejudice its audit function, I note that the decision contains the following statement:

If an audited entity knows how an auditor reaches conclusions, then the audit function is prejudiced by disclosure of the audit methodology. While in broad terms the nature of audit methods may be obvious, or even widely known, or publicly available, it is important that details of the audit method, including, for example, the specific files that the auditor intends to examine, are kept from the entity subject to a possible future audit before an audit commences. Continued non-disclosure prevents prospective audited entities from subverting the audit process necessary for the auditor to make an independent assessment. Naturally such disclosures will prejudice subsequent audits if the same method is to be utilised.
50. I do not accept that knowledge of an audit method would allow an entity to subvert an audit process. It is obvious, for example, that SFPQ's audit methods will include site inspection and observation – these are both statutorily mandated and readily witnessed by subject businesses. More specifically, there is nothing in the particular information in issue that would allow an audited entity to anticipate when future audits may occur, or identify the 'files' that might be targeted.
51. In any case, the information in issue has, on my understanding, already been disclosed by SFPQ to the food business in order to ensure compliance with the issues raised in each report. Thus, even if the information could be said to contain some sensitive or secret audit methodology, such information has already been revealed by SFPQ to the very entity it claims would be in a position to subvert future audit processes. In this context, I cannot see how further disclosure to the applicant would in any way prejudice

³³ The relevant factors are:

- disclose information of a confidential nature that was communicated in confidence and disclosure of that information could reasonably be expected to prejudice the future supply of information of this type
- prejudice an agencies ability to obtain confidential information
- prejudice the effectiveness of testing or auditing procedures
- prejudice the flow of information to a regulatory agency; and
- affect particular operations of agencies.

the audit functions in the manner claimed. These factors therefore do not arise for consideration in the circumstances of this review.

Factors favouring disclosure

52. On the information before me, I am satisfied that disclosure of the information in issue could reasonably be expected to:
- promote open discussion of public affairs and enhance the Government's accountability³⁴
 - contribute to positive and informed debate on important issues or matters of serious interest³⁵
 - reveal environmental or health risks or measures relating to public health and safety;³⁶ and
 - contribute to safe, informed and competitive markets.

Factors favouring nondisclosure

53. On the information before me, I am satisfied that disclosure of the information in issue could reasonably be expected to prejudice the business, professional, commercial or financial affairs of the food business.³⁷

Balancing factors favouring disclosure and nondisclosure in the public interest

54. The information in issue comprises audit reports and corrective action requests created by auditors employed by SFPQ to enforce the Food Safety Act.
55. Disclosure of the information in issue could reasonably be expected to promote open discussion of public affairs and enhance the Government's accountability by showing members of the public the way in which SFPQ fulfils its audit role. Equally, disclosure could reasonably be expected to contribute to positive and informed debate about food safety issues by publicising the important role that SFPQ plays in ensuring that entities such as the food business maintain appropriate standards in accordance with the Food Safety Act.
56. The food business has submitted that as the information in issue is from 2007, its disclosure cannot reveal health risks. As I said in *Seven and Redlands*³⁸ and *Food Business and Gold Coast*,³⁹ that submission does not go to whether the factor arises, but rather the weight to be attributed to it. I accept, however, that the information is relatively old and also that the issues raised in the information in issue have since been addressed by the food business. Given disclosure of the information would not, therefore, reveal an immediate or ongoing environmental or health risk, I consider the weight to be attributed to this factor is low.
57. As to the public interest in safe, informed and competitive marketplaces, as stated in *Seven and Redlands*⁴⁰ and *Food Business and Gold Coast*,⁴¹ there is a strong public interest in consumers being informed about the markets in which they operate. I recognised a public interest in disclosing information where that disclosure could

³⁴ Schedule 4, part 2, item 1 of the RTI Act.

³⁵ Schedule 4, part 2, item 2 of the RTI Act.

³⁶ Schedule 4, part 2, item 14 of the RTI Act.

³⁷ Schedule 4, part 3, item 2.

³⁸ At paragraph 31.

³⁹ At paragraph 32.

⁴⁰ At paragraphs 33 to 45.

⁴¹ At paragraphs 35 to 40.

reasonably be expected to inform consumers about the marketplace – including particular participants in a specific market – so as to empower consumers to make more informed decisions about such participants, their products and their services.⁴² In this case, disclosure of the information in issue would inform consumers about how the food business fulfils its obligations under the Food Safety Act. It will also show the industry and the food business that information of this sort may be published. This may contribute to a safer food environment for consumers. Also, this will advance the public interest in safe, informed and competitive marketplaces and I consider it should be given significant weight.

58. The food business and SFPQ have argued that disclosure of the information in issue will cause damage to the food business' reputation. I accept this submission. As to the extent of the prejudice, as in *Seven and Redlands* and *Food Business and Gold Coast*, the age of the information and the fact that the food business has addressed the issues raised in the audits means that any prejudice would be moderate. I therefore give this factor moderate weight.
59. On balance and taking into account all of the matters set out above, I am satisfied that:
- the public interest factors favouring disclosure of the information in issue outweigh the public interest factor favouring nondisclosure; and
 - disclosure of the information in issue would not, on balance, be contrary to the public interest.

DECISION

60. I set aside SFPQ's decision to refuse access to the information in issue and find that the information in issue:
- does not comprise exempt information under section 47(3)(a) of the RTI Act; and
 - would not, on balance, be contrary to the public interest to be disclosed under section 47(3)(b) of the RTI Act.
61. I have made this decision as a delegate of the Information Commissioner, under section 145 of the *Right to Information Act 2009* (Qld).

Acting Assistant Information Commissioner Lynch

Date: 10 February 2012

⁴² *Seven and Redlands* at paragraph 33.

APPENDIX

Significant procedural steps

Date ⁴³	Event
14 April 2010	The applicant applied to Safe Food Production Queensland (SFPQ) under the RTI Act for documents about failed health and safety audits in relation to a food business.
20 May 2010	SFPQ consulted with relevant third parties, including the food business (third party) regarding the release of the information requested by the applicant.
27 May 2010	Solicitors for the third party responded objecting to release of the information requested by the applicant.
11 June 2010	SFPQ issued its decision (access decision).
30 June 2010	The applicant applied to OIC for external review of the access decision.
22 July 2010	SFPQ provided OIC with submissions.
10 October 2011	OIC conveyed a written preliminary view to SFPQ, and the third parties and invited them to provide submissions in support of their respective cases if they did not accept the preliminary view.
24 October 2011	OIC received submissions from the solicitors for the food business seeking to be added as a third party in the review and providing submissions.
24 October 2011	OIC received submissions from SFPQ in response to the preliminary view.

⁴³ Of correspondence or relevant communication unless otherwise stated.