



## Department of Health

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DX 210081

Our ref: F22/1420

Sent via email to: [foi+request-10497-f84017c1@righttoknow.org.au](mailto:foi+request-10497-f84017c1@righttoknow.org.au)

Dear Isabel

### **Freedom of Information Section 17(2) Notice of Refusal**

I refer to your application under the *Freedom of Information Act 1982* (the Act) requesting access to:

*"I'm requesting a full formal 'Vaccine Safety Surveillance Report' for the years of 2020, 2021 and 2022.*

*That of similar to the Western Australian report of 2021.*

*[https://urldefense.com/v3/\\_\\_https://www.health.wa.gov.au/\\*/media/Cor\\_\\_;fg!!C5rN6bSF!F3VxpWs5w5lz9T0yd2N9-bOJIHp4nJiqZI5B\\_9XtJZW5dqBpmBHA894ktuy37DsLfOeSfZKwUauywWv9IGNblfoxNPHVC1ZLo-Pnbw\\$ ...](https://urldefense.com/v3/__https://www.health.wa.gov.au/*/media/Cor__;fg!!C5rN6bSF!F3VxpWs5w5lz9T0yd2N9-bOJIHp4nJiqZI5B_9XtJZW5dqBpmBHA894ktuy37DsLfOeSfZKwUauywWv9IGNblfoxNPHVC1ZLo-Pnbw$...)*

*Without any amendments, alterations and editing in any way, shape or form."*

I also refer to my correspondence dated 7 August 2023, in which I requested that the application fee or evidence of hardship be provided, or your request would be refused as it is not a valid request. A copy of this correspondence is attached.

As you have not responded to my correspondence, I formally advise you of my decision to refuse to process your application under section 17(2) of the Act, as it is not a valid FOI request.

### **Complaint Rights**

If you are not satisfied with my decision you have the right to apply to the Office of the Victorian Information Commissioner (the Commissioner) and make a complaint. A complaint needs to be made in writing within 60 days.

I have enclosed a fact sheet providing further information on making a request for a complaint to the Commissioner.

Yours sincerely



**Mike Cain**

Manager, Freedom of Information and Legal Compliance

22/09/2023

Enc.

1. Fact Sheet – Office of the Victoria Information Commissioner – Complaints
2. Copy of previous section 17 correspondence

## FOI Health (HEALTH)

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**From:** FOI Health (HEALTH)  
**Sent:** Monday, 7 August 2023 4:28 PM  
**To:** foi+request-10497-f84017c1@righttoknow.org.au  
**Subject:** Freedom of Information - F23/1420 - Invalid request - Application fee required

Good afternoon Isabel

I refer to your application under the *Freedom of Information Act 1982* (the Act) requesting access to:

*"I'm requesting a full formal 'Vaccine Safety Surveillance Report' for the years of 2020, 2021 and 2022.*

*That of similar to the Western Australian report of 2021.*

*[https://urldefense.com/v3/\\_\\_https://www.health.wa.gov.au/\\*/media/Cor\\_\\_;fg!!C5rN6bSF!F3VxpWs5w5lz9T0yd2N9-bOJlHp4nJiqZI5B\\_9XtJZW5dqBpmBHA894ktuy37DslfOeSfZKwUauywWv9IGNblfoxNPHVC1ZLo-Pnbw\\$ ...](https://urldefense.com/v3/__https://www.health.wa.gov.au/*/media/Cor__;fg!!C5rN6bSF!F3VxpWs5w5lz9T0yd2N9-bOJlHp4nJiqZI5B_9XtJZW5dqBpmBHA894ktuy37DslfOeSfZKwUauywWv9IGNblfoxNPHVC1ZLo-Pnbw$ ...)*

*Without any amendments, alterations and editing in any way, shape or form."*

Your application was received on Monday 24 July 2023.

Please note, you are not using the correct email address for the FOI unit of the Victorian Department of Health. Please direct all future correspondence to this email address.

### **Invalid request – Application fee required**

The Act provides that an application fee of \$31.80 must accompany each request. The department's preferred method of payment is via the Victorian Government's online FOI portal at the below link:

<https://online.foi.vic.gov.au/foi/request.doj>

Please quote your reference number (**F23/1420**) in the "Request Details" section of the online form. You do not need to provide the wording of your request again.

The Act also provides that the application fee may be waived or reduced if payment of the fee would cause financial hardship. If you consider this to be the case the fee may be waived or reduced on production of evidence of how the payment of the application fee would cause you hardship.

As stated on the Office of the Victorian Information Commissioner's website, an applicant should provide evidence of hardship when they are requesting an agency to waive or reduce the application fee:

*'If you request the application fee to be waived or reduced, you should provide evidence of hardship – for example, a concession or health care card, a bank statement, or statutory declaration outlining why payment would cause you hardship.'*

Please note, your request cannot proceed until the application fee or evidence of hardship has been received as it is not a valid request.

I would appreciate it if you would respond by **29 August 2023**, otherwise I will assume that you do not wish to proceed and no further action will be taken by the department.

**Please direct all correspondence relating to your request to [foi@health.vic.gov.au](mailto:foi@health.vic.gov.au).**

Kind regards,

**Authorised Officer | Freedom of Information unit**

Legal, Privacy and Integrity

Department of Health

[www.health.vic.gov.au](http://www.health.vic.gov.au)

# Freedom of Information Complaints

## Factsheet

If you are not satisfied with the way that the department processed your freedom of information request, you may lodge a complaint with the Office of the Victorian Information Commissioner (the Commissioner).

## Types of Complaints

The Commissioner can investigate actions taken by agencies in processing requests.

Examples include:

- if the department advises you that the documents cannot be located or that the documents do not exist
- if you feel that the department's response to a freedom of information request has been unreasonably delayed beyond the statutory time period.

## Timeframe for making a complaint

A complaint must be made within 60 days of the action or conduct which is the subject of the complaint.

## How to make a complaint

Complaints must be made in writing and addressed to:

Victorian Information Commissioner  
Office of the Victorian Information Commissioner  
PO Box 24274  
Melbourne Victoria 3001  
Phone: 1300 006 842  
[enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)

Complaint application forms are available on the Commissioner's website: [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)

To receive this publication in an accessible format phone (03) 9096 8449, using the National Relay Service 13 36 77 if required, or [email\\_foi@health.vic.gov.au](mailto:email_foi@health.vic.gov.au)

Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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