



12 February 2018

Our reference: LEX 34581

Mr Justin Warren

By email only: [foi+request-4349-fb5e7f7d@righttoknow.org.au](mailto:foi+request-4349-fb5e7f7d@righttoknow.org.au)

Dear Mr Warren

### Freedom of Information Request – Publically Available Information

I am writing in relation to your request, dated 30 January 2018, and received by the Department of Human Services (**department**) on the same day for access under the *Freedom of Information Act 1982 (FOI Act)* to the following:

I request a copy of this document:

<http://operational.humanservices.gov.au/public/Pages/your-health/011-04150000-01.html> titled "Opt-out for My Health Record 011-04150000".

The Operational Blueprint that you are requesting is now publically available via the following link: <http://operational.humanservices.gov.au/public/Pages/your-health/011-04150000-01.html>

Section 4 of the FOI Act relevantly provides that the definition of a document is not taken to include:

(d) material maintained for reference purposes that is otherwise publically available.

Accordingly, your request has become invalid for the purposes of the FOI Act and no further action will be undertaken in relation to your request.

### Further assistance

If you have any questions please email [FOI.LEGAL.TEAM@humanservices.gov.au](mailto:FOI.LEGAL.TEAM@humanservices.gov.au)

Yours sincerely

**Ashleigh**  
FOI Officer  
Freedom of Information Team  
FOI and Litigation Branch | Legal Services Division  
Department of Human Services