



**The Hon Greg Hunt MP
Minister for Health
Minister Assisting the Prime Minister for the
Public Service and Cabinet**

Ref No: <PDR No>

The National Advocate

Via email: foi+request-5672-a68adf0e@righttoknow.org.au

Dear The National Advocate

**REQUEST CONSULTATION NOTICE UNDER SECTION 24AB
OF THE FREEDOM OF INFORMATION ACT 1982**

I refer to your request of 2 October 2019 to the Minister for Health seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to the following documents:

'the Minister's diary covering all days in September in 'weekly agenda' format.

Practical refusal reason

I have considered the scope of your request of 2 October 2019. I am satisfied, the request does not provide such information reasonably necessary to enable a responsible officer to identify it (the 'practical refusal reason') (section 24AA(1)(b) of the FOI Act).

Request does not sufficiently identify documents

A formal requirement of making an FOI request is the request must provide such information as is reasonable necessary to enable a responsible officer of the agency to identify the documents - requested (section 15(2)(b) of the FOI Act).

In reviewing your request in line with the requirements of the FOI Act, I am satisfied the request remains unclear, on the basis the information is not enough to allow the Minister to clearly identify which year for the month of September is being referred to for the documents requested. Without further clarification on what this item means the request is unable to be processed.

On this basis, I am satisfied a practical refusal reason exists for the purposes of paragraph 24AA(1)(b) of the FOI Act.

Request consultation process

Before I can make a decision to refuse access to the documents on the basis of the practical refusal reason, the FOI Act requires me to undertake a request consultation process which gives you an opportunity to revise your request (section 24(1)(a) & 24AB).

This letter constitutes a written notice in accordance with section 24AB(2) of the FOI Act giving you a 14-day period to consult with the department about the terms of your request. The consultation period during which you can consult the below contact person is 14 days commencing after today and ending on 14 November 2019.

Contact person

The contact person whom you may consult is the Department of Health's FOI Coordinator who can be contacted by telephone (02) 6289 1666 or by email at FOI@health.gov.au.

What you need to do

Under section 24AB(6) of the FOI Act, you have 14 days from the date of this notice, to notify the department, in writing, you either:

- a) Withdraw your request;
- b) Make a revised request by clarifying which year you are referring to;
- c) Indicate you do not wish to revise the request.

Under section 24AB(7), your request will have been taken to be withdrawn if you neither contact the department's FOI Coordinator during the 14 days nor do any of the things mentioned above at (a), (b) and (c) before the consultation ends.

Relevant provisions of the FOI Act

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2019C00288>

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Joanne Tester', written over a circular blue stamp or seal.

Joanne Tester
Chief of Staff