



FOI Reference: LEX2118

File No: 20/15967

10 July 2020

Mr Peter Timmins

By email: foi+request-6414-0fd2e118@righttoknow.org.au

Dear Mr Timmins

Re. Freedom of Information Request – notification of intention to refuse request

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (FOI Act).

On 18 June 2020, you sought access to:

“documents created or received since Australia took a position on the Executive Board of the World Health Organisation in 2018 concerning the need for the organisation to be more independent and transparent, including briefs, reports, records of conversation, speeches or other documents sent to or sent from Australian representatives.”

Practical refusal reason

I am writing to give you notice under section 24AA(1)(b) of the FOI Act of an intention to provide a practical refusal in relation to your access request.

Notice is hereby given under section 24AB(2) of the FOI Act of an intention to refuse to grant access to the documents sought. The practical refusal reason is that the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

In deciding that this practical refusal reason exists, I have given consideration to how the department could proceed to process your request, and the time and resources that would be involved in doing so. I have been assisted in this task by estimates provided by members of staff in the Global Health Policy Branch of the department to determine an estimate of the probable resource demands posed by your FOI request.

On advice from the relevant line area, the outcome of initial searches has resulted in thousands of documents which would require review in order to progress your request. I am therefore of the opinion that processing your request in its current form would be a substantial and unreasonable diversion of the department’s resources within the meaning of section 24AA(1) of the FOI Act.

Request consultation process

In accordance with section 24AB(2)(e) of the FOI Act, you have 14 days from the day you are given this notice (Consultation Period) to:

(a) withdraw your request;

(b) revise the scope of your request; or

(c) inform the department that you do not wish to revise your request.

If we do not receive written notification from you with regards to (a), (b) or (c) as listed above, or if you do not consult with me, as the contact person, during this Consultation Period, your request will be taken to have been withdrawn in accordance with section 24AB(7) of the FOI Act.

If you intend to revise the scope of your request, you may wish to consider the following, which would enable the department to appropriately process your request.

Please note that during this period of consultation, the statutory timeframe under section 15(5) of the FOI Act for the processing of your request is on hold (see section 24AB(8) of the FOI Act for details).

I have attached a copy of sections 24, 24AA and 24AB of the FOI Act for your information

Please do not hesitate to contact me via email: foi@the department.gov.au if you have any questions about this consultation process, including revising the scope of your FOI request to enable the department to process it.

Yours sincerely



Lindsay Buckingham

Director

Freedom of Information and Privacy Law Section