



Australian Government

Department of Health

Department Reference: FOI 2336

Mr Jaay-H

Via email: foi+request-7204-17082f90@righttoknow.org.au

Dear Mr Jaay-H

NOTICE OF DECISION UNDER SECTION 24A OF THE FREEDOM OF INFORMATION ACT 1982

I refer to your request of 8 April 2021 to the Department of Health (the department) seeking access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to the following documents:

'Please provide the risk assessment used by the Australian Health Protection Principal Committee to justify their public face masking recommendations.

There are significant negative public health affects resulting from long term mask wearing.

There are very significant environmental harm resulting from mask and plastic pollution.

The public seeks assurance the Department has identified and considered these negative health affects.'

FOI decision

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision in response to your request.

Appropriate steps have been taken to find the documents referred to in your request including searches of departmental file management systems. I am satisfied, on the basis of the searches conducted, that the department does not hold any documents referred to in your request. As a consequence, relying on section 24A of the FOI Act, I cannot provide access to the documents you requested.

I am satisfied, on the basis of the consultation undertaken and the searches conducted, that the department does not hold any documents referred to in your request.

As a consequence, relying on section 24A of the Act, I cannot provide access to the documents you requested.

Additional information

The Australian Health Protection Principal Committee makes recommendations based on the available scientific and medical evidence.

For more information on wearing masks, please refer to the information in this web link:

<https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/masks>

FOI review rights

If you are dissatisfied with my decision, you may apply for a review.

Internal review

Under section 54 of the Act, you may apply for internal review of this decision.

In accordance with section 54B of the Act, an application for internal review must be made in writing within 30 days after the day you are notified of this decision (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider the review of my decision is necessary.

The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be addressed to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner review

Alternatively, under section 54L of the Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner.

In accordance with subsection 54S(1) of the Act, an IC review application in relation to a decision covered by subsection 54L(2) (access refusal decisions) must be made in writing within 60 days after the day you are notified of this decision (if you do not request an internal review).

More information about Information Commissioner review is available on the OAIC website at: <https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Email: enquiries@oaic.gov.au

Phone: 1300 363 992

Complaints

If you are dissatisfied with actions taken by the department, you may also make a complaint.

Complaint to the department

Complaints to the department are covered by the department's privacy policy.

A form for lodging a complaint directly to the department is available on the department's website:

<https://www.health.gov.au/about-us/contact-us/complaints>

Complaint to the Information Commissioner

Information about making a complaint to the Information Commissioner about action taken by the department is available on the OAIC website:

<https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>

Relevant provisions of the Act

The 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/C2020C00366>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact the department's Freedom of Information Unit on (02) 6289 1666 or at

FOI@health.gov.au.

Yours sincerely

Dr Gary Lum, AM
Principal Medical Adviser
Office of Health Protection & Response
Tuesday, 20 April 2021