



26 October 2021

Concerned citizen

**BY EMAIL:** [foi+request-7892-c85daf7c@righttoknow.org.au](mailto:foi+request-7892-c85daf7c@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 21/09/01245

File Number: OBJ2021/29399

Dear Concerned citizen,

**Freedom of Information (FOI) request - Access Decision**

On 24 September 2021, the Department of Home Affairs (the Department) received a request for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

**1 Scope of request**

You have requested access to the following document:

*Could you please provide any correspondence between the department and Atlassian about the COVIDSafe app?*

*Specifically:*

- any emails sent from the department to Atlassian or from Atlassian to the department containing any of the terms: COVIDSafe, Trace Together, Bluetooth, Contact Tracing, covidcare, coronavirus,*
- any emails in reply,*
- any attachments.*

On 19 October 2021 we received your instructions to revise the scope of the request as follows:

*Please provide any correspondence between the department and Atlassian about the COVIDSafe app between the 1st of March 2020 and the 31st of March 2020.*

**2 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate records.

### **3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the document relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access

### **4 Document in scope of request**

The Department has identified 0 documents as falling within the scope of your request.

The relevant area of the Department with responsibility for the matters in scope has advised that no specific documents which would address the matter in scope exists for the timeframe provided.

#### **4.1 Section 24A – No document exists**

Section 24A of the FOI Act provides that the Department may refuse a request for access to a document if all reasonable steps have been taken to find the document and the Department is satisfied that the document does not exist.

I am satisfied that the Department has undertaken reasonable searches in relation to your request and that no documents were in the possession of the Department on 24 September 2021 when your FOI request was received.

As such I am refusing access to the documents requested by you based on the application of section 24A of the FOI Act

### **5 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Details/C2017C00251>. If you are unable to access the legislation through this website, please contact our office for a copy.

### **6 Your Review Rights**

#### **Internal Review**

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days.

Applications for review should be sent to:

By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

OR

By mail to:  
Freedom of Information Section  
Department of Home Affairs  
PO Box 25  
BELCONNEN ACT 2617

*Review by the Office of the Australian Information Commissioner*

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

## **7 Making a Complaint**

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

## **8 Contacting the FOI Section**

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).

*Signed electronically*

### **Position number 60081621**

Authorised Decision Maker | Freedom of Information Section  
FOI and Records Management Branch  
Data Division Strategy and National Resilience Group  
Department of Home Affairs