



Our reference: FOIREQ21/00284

By email: foi+request-8089-3ec1b6e1@righttoknow.org.au

Freedom of Information Request – Our reference: FOIREQ21/00284

Dear Concerned Citizen

I refer to your request for access to documents made under the *Freedom of Information Act 1982* (Cth) (the FOI Act) received on 12 November 2021.

Your request was for:

Please provide any advice provided to the Department of Home Affairs, the Department of Health, the Department of the Prime Minister and Cabinet, or the Digital Transformation Agency about the privacy impacts of contact tracing mobile phone apps including but not limited to COVIDSafe.

On 10 December 2021 we contacted you to advised that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its size and broad scope (s 24AA(1)(a)(i) FOI Act) and entered into a request consultation period under s 24AB of the FOI Act.

On 13 December 2021 we agreed to process the following revised request:

"Any advice that the OAIC provided that compared the privacy protections of the centralised model that COVIDSafe adopted with the privacy-preserving approach of the decentralised model of Google and Apple's Exposure Notifications"

On 13 December 2021 we advised you that as your request covers documents containing personal information of third-party individuals, the timeframe for processing your request was extended until 10 January 2022.

Decision

I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests.

After undertaking relevant searches, I have identified 7 documents within the scope of your request.

Access to edited copies with irrelevant matter deleted (s 22)

The documents within the scope of your request contain material which is irrelevant to your request. The irrelevant material relates to information about the COVIDSafe app more generally that does not fall within the specific scope of your request.

However, I have found it reasonably practicable to prepare an edited copy of the documents with the irrelevant matter removed.

I have decided to grant you access these documents in full. The documents and schedule of documents are enclosed.

Please see the following page for information about your review rights and information about the OAIC's disclosure log.

A handwritten signature in cursive script, appearing to read "E Elliott".

Emily Elliott
Senior Lawyer

10 January 2022

If you disagree with my decision

Internal review

You have the right to apply for an internal review of my decision under Part VI of the FOI Act. An internal review will be conducted, to the extent possible, by an officer of the OAIC who was not involved in or consulted in the making of my decision. If you wish to apply for an internal review, you must do so in writing within 30 days. There is no application fee for internal review.

If you wish to apply for an internal review, please mark your application for the attention of the FOI Coordinator and state the grounds on which you consider that my decision should be reviewed.

Applications for internal reviews can be submitted to:

Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Alternatively, you can submit your application by email to foi@oaic.gov.au, or by fax on 02 9284 9666.

Further Review

You have the right to seek review of this decision by the Information Commissioner and the Administrative Appeals Tribunal (AAT).

You may apply to the Information Commissioner for a review of my decision (IC review). If you wish to apply for IC review, you must do so in writing within 60 days. Your application must provide an address (which can be an email address or fax number) that we can send notices to, and include a copy of this letter. A request for IC review can be made in relation to my decision, or an internal review decision.

It is the Information Commissioner's view that it will usually not be in the interests of the administration of the FOI Act to conduct an IC review of a decision, or an internal review decision, made by the agency that the Information Commissioner heads: the OAIC. For this reason, if you make an application for IC review of my decision, and the Information Commissioner is satisfied that in the interests of administration of the Act it is desirable that my decision be considered by the AAT, the Information Commissioner may decide not to undertake an IC review.

Section 57A of the FOI Act provides that, before you can apply to the AAT for review of an FOI decision, you must first have applied for IC review.

Applications for IC review can be submitted online at:

https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10

Alternatively, you can submit your application to:

Office of the Australian Information Commissioner

GPO Box 5218

SYDNEY NSW 2001

Or by email to foidr@oaic.gov.au, or by fax on 02 9284 9666.

Accessing your information

If you would like access to the information that we hold about you, please contact FOIDR@oaic.gov.au. More information is available on the [Access our information](#) page on our website.

Disclosure log

Section 11C of the FOI Act requires agencies to publish online documents released to members of the public within 10 days of release, except if they contain personal or business information that would be unreasonable to publish. As the documents released to you do not contain personal or business information they will be published on the disclosure log within 10 days of their release.