



OFFICE OF THE PRIME MINISTER

Reference: FOI/PMO/2022/004

Mr Jimmy Recard

By email: foi+request-8349-69e27dba@righttoknow.org.au

Dear Mr Recard

I refer to your email, received on 3 February 2022, to the Office of the Prime Minister (the **Office**) making a request under the *Freedom of Information Act 1982* (Cth) (the **FOI Act**) in the following terms:

Pursuant to the Freedom of Information Act 1982, I seek access to all the documents you hold in relation to correspondence between your office and the Department of Health in regards to the safety of the Pfizer manufactured Covid-19 vaccination "Comirnaty".

This request is a matter of public interest and health and strongly favors access.

On 28 March 2022, in response to a practical refusal consultation notice issued to you on the same day, you revised your request in the following terms:

Pursuant to the Freedom of Information Act 1982 (Cth), I seek access to all the documents you hold in relation to correspondence between your Office and the Department of Health in regards to safety concerns of the Pfizer manufactured Covid-19 vaccination "Comirnaty".

I make this request as a matter of public interest and health and as such this request strongly favors access.

Authorised decision-maker

I am authorised to make a decision in this matter on the Prime Minister's behalf.

Decision

I am satisfied that, following the request consultation process, the practical refusal reason still exists in relation to your request. Therefore, under section 24(1) of the FOI Act, I have decided to refuse your request.

My reasons for refusing the request are below.

Reasons for decision

Section 24(1) of the FOI Act provides that a request to a Minister may be refused if the decision maker is satisfied that:

- a practical refusal reason exists in relation to the request; and
- after undertaking a request consultation process in accordance with section 24AB of the FOI Act, the practical refusal reason remains.

Section 24AA(1)(a)(ii) of the FOI Act provides that a practical refusal reason exists if the work involved in processing the request would substantially and unreasonably interfere with the performance of the Minister's functions.

Section 24AB of the FOI Act sets out the practical refusal consultation process for the purposes of section 24(1) of the FOI Act.

I am satisfied that the practical refusal consultation process that was undertaken in relation to your request, meets the requirements set out in section 24AB of the FOI Act.

As indicated in the Practical Refusal Consultation Notice, the Prime Minister is the head of the national government and your request presents a significant challenge to the day-to-day execution of his duties. Having regard to the unlimited time period and subject matter of the revised request, I remain satisfied that the time that could be spent in potentially processing your request would be a substantial and unreasonable interference with the performance of the Prime Minister's functions.

Processing your request, as revised, would require dedicated resources and a significant allocation of time, which would need to be balanced with national issues that the Prime Minister and his staff deal with on a daily basis.

On this basis, I am satisfied that processing your request, as revised, would significantly and unreasonably interfere with support that staff within the Office could be providing to the Prime Minister in the performance of his functions.

Therefore, the practical refusal reason still remains and in accordance with section 24(1) of the FOI Act, I have decided to refuse your request.

Review rights

Information about your rights of review under the FOI Act is available at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>.

Yours sincerely



John Harris
Senior Adviser

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