



Australian Government

Department of Health

FOI reference: FOI-3687

Ms Yasmin Chamarette

By email: foi+request-8363-8825157e@righttoknow.org.au

Dear Ms Chamarette

Decision on your Freedom of Information Request

I refer to your emails of 3 February 2022 and 8 March 2022 to the Australian Technical Advisory Group on Immunisation (ATAGI) COVID-19 Working Group Secretariat seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to:

'The evidence base behind reducing the temporary exemption period from 6 to 4 months for the temporary deferral of a COVID vaccination, following infection.'

Subsection 15 (2A) of the FOI Act sets out the formal requirements to send a freedom of information (FOI) request to an agency. This includes sending the FOI request by electronic communication to an email or fax address specified by the agency. The email address stipulated by the Department of Health (the department) for receiving FOI requests electronically is foi@health.gov.au.

Your request was received at that address on 16 March 2022. Accordingly, the statutory timeframe for providing a decision in response to your requests commenced on 17 March 2022, the day after your request was received by the department.

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 on your request.

FOI decision

I have identified two documents that are relevant to your request. The documents were in the possession of the department when your request was received.

I have decided to give access to both documents in full.

A schedule setting out the documents relevant to your request, with my decision in relation to those documents, is at **ATTACHMENT A**.

Third Party Consultation

On 28 March 2022, you were informed that consultation with a third party would be necessary. I considered the third party's contentions when making my decision.

Legislative provisions

The FOI Act, including the provisions referred to in my decision, are available on the Federal Register of Legislation website: www.legislation.gov.au/Series/C2004A02562

Your review rights

I have set out your review rights at **ATTACHMENT B**.

Publication

You should be aware that where I have decided to release documents to you, the department may also publish the released material on its Disclosure Log. The department will not publish personal or business affairs information where it would be unreasonable to do so.

For your reference the department's Disclosure Log can be found at:

www.health.gov.au/resources/foi-disclosure-log

Contacts

If you require clarification of any matters discussed in this letter you can contact the FOI Unit on (02) 6289 1666 or at FOI@health.gov.au

Yours sincerely



Angela Wilson
A/g Assistant Secretary
Medical Policy & Commonwealth State Engagement Branch

5 May 2022

SCHEDULE OF DOCUMENTS

FOI-

3687

Doc no.	Date	No. of pages	Description	Decision on access ¹
1	27.01.2022	16	National Centre for Immunisation Research and Surveillance (NCIRS) PowerPoint presentation titled <i>Vaccination after previous SARS-CoV-2 infection</i> .	R
2	25.02.2022	15	ATAGI <i>Clinical Recommendations for COVID-19 vaccines</i> Relevant extract: 'People with a past SARS-CoV-2 infection'	R

¹ R = Release in full.

YOUR REVIEW RIGHTS

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

Internal review

You can request internal review within 30 days of you receiving this decision. An internal review will be conducted by a different officer from the original decision-maker.

No particular form is required to apply for review although it will assist your case to set out the grounds on which you believe that the original decision should be changed.

Applications for internal review can be made by:

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

If you choose to seek an internal review, you will also have a right to apply for Information Commissioner review (IC review) of the internal review decision once it has been provided to you.

Information Commissioner review or complaint

You also have the right to seek Information Commission (IC) review of this decision. For FOI applicants, an application for IC review must be made in writing within 60 days of the decision. For third parties who object to disclosure of their information, an application for IC review must be made in writing within 30 days of the decision.

If you are not satisfied with the way we have handled your FOI request, you can lodge a complaint with the OAIC. However, the OAIC suggests that complaints are made to the agency in the first instance.

While there is no particular form required to make a complaint to the OAIC, the complaint should be in writing and set out the reasons for why you are dissatisfied with the way your request was processed. It should also identify the Department of Health as the agency about which you are complaining.

You can make an IC review application or make an FOI complaint in one of the following ways:

- online at www.oaic.gov.au/freedom-of-information/reviews-and-complaints/
- via email to foidr@oaic.gov.au
- by mail to GPO Box 5218 Sydney NSW 2001, or
- by fax to 02 9284 9666.

More information about the Information Commissioner reviews and complaints is available on the OAIC website here: www.oaic.gov.au/freedom-of-information/foi-review-process.

Complaint

If you are dissatisfied with action taken by the department, you may also make a complaint directly 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 here: www.health.gov.au/about-us/contact-us/complaints