
From: FOI
Sent: Thursday, 11 May 2017 3:58 PM
Subject: 40. Freedom of Information Request: Opportunity to make a submission - Personal Information

Dear

The Department of Health has received a Freedom of Information (FOI) request which covers documents containing information about you.

Under the *Freedom of Information Act 1982*, where an Australian Government agency receives a request for access to documents containing the personal information of an individual other than the applicant and the agency believes that that individual may object to the release of the documents, the agency is required to consult that individual before making a decision to grant access.

Opportunity to make a submission

I invite you to advise the department about any objection you may have to the release of the enclosed document(s). Specifically, do you believe that release of the document would involve the unreasonable disclosure of personal information about you? If so, could you please give your reasons so that we can make an informed decision about whether or not to grant access.

'Personal information' means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- whether the information or opinion is true or not; and
- whether the information or opinion is recorded in a material form or not.

In deciding whether disclosure of personal information is unreasonable, the decision maker will consider:

- a) the extent to which the information is well known
- b) whether you are known to be (or to have been) associated with the matters dealt with in the document
- c) the availability of the information from publicly accessible sources
- d) any other matters that *the department* considers relevant.

Please note that it is not sufficient to simply assert that the release of the documents would involve a disclosure of personal information about you. You need to provide reasons about why disclosure of the information would be unreasonable.

Please also note that this exemption is available only if, in addition to the above, it can be demonstrated that granting access to the information would, on balance, be contrary to the public interest

While your comments will be given careful consideration, the final decision about whether to release the documents rests with the decision maker in our agency. If the decision maker decides to grant access to any documents whose release you opposed, you will be given written notice of the decision and the opportunity to seek review of the decision before those documents are released.

How to make your submission

Please send us your comments in writing by **<date>**. If a response is not received by this date, the decision maker in our agency will make a decision without further contact with you.

You can reply by either email at foi@health.gov.au or via post:

The FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Applicant's review rights

The applicant has rights of review under the FOI Act. These include external review by the Australian Information Commissioner and the Administrative Appeals Tribunal. If the decision is to exempt any material in accordance with any submission you may make, that submission may be required to be given to the external reviewer.

Disclosure log

You should be aware that if the department decides to grant access to a document, or parts thereof, it is required to publish the information contained in this accessed document on the department's [Disclosure Log](#), unless one of the exceptions in s11C of the FOI Act apply.

If you consider that it would be unreasonable for some or all of the documents to be published, please indicate this in your response. A Disclosure Log decision is not reviewable, but the Department would take your views into account.

Contacts

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

Yours sincerely

FOI and Legislation Section

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The Department of Health acknowledges the Traditional Custodians of Australia and their continued connection to land, sea and community. We pay our respects to all Elders past and present.

If you receive this email in error, please delete it and contact the sender immediately.