



**Australian Government**  
**Department of Health**

Department Reference: FOI 1948

Ms Nancy O

Via email: [No](#)

Dear Ms O

**NOTICE OF DECISION UNDER SECTION 24A  
OF THE FREEDOM OF INFORMATION ACT 1982**

I refer to your request of 7 September 2020 to the Department of Health (the department) seeking access under the *Freedom of Information Act 1982* (the Act) to the following documents:

*Provide the "actual" and "accurate" number of all Covid-19 otherwise known as SARS-CoV-2 confirmed cases and deaths in the following;*

- 1. Deaths of those who were already in palliative care;*
- 2. Deaths of those "presumed" or "with" Covid-19 otherwise known SARS-CoV-2 (please provide the distinction and criteria used);*
- 3. Deaths of those directly "from" Covid-19 otherwise known SARS-CoV-2 (please provide the distinction and criteria used);*
- 4. Deaths of those with more than 1 comorbidity;*
- 5. Asymptomatic cases and symptomatic cases*

**FOI Decision**

I am authorised under subsection 23(1) of the Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision on your request.

Appropriate steps have been taken to find the documents referred to in your request including searches of departmental file management systems.

I am satisfied, on the basis of the searches conducted, that the documents referred to in your request do not exist.

As a consequence, relying on section 24A of the Act, I cannot provide access to the documents you requested.

### **FOI review rights**

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

#### Internal review

Under section 54 of the Act, you may apply in writing to the department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider review of my decision is necessary. The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be sent to:

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

#### Information Commissioner review

Alternatively, under section 54L of the Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

More information about Information Commissioner reviews is available on the OAIC website at: <https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Phone: 1300 363 992

You may also make a complaint to the OAIC about action taken by the department in relation to your application. Further information about this process is available on the OAIC website.