

Request for documents form: section 17 - Freedom of Information Act 1982 (Vic)

Under the *Freedom of Information Act 1982 (Vic)* (**FOI Act**), every person has the right to request access to documents held by Victorian public sector agencies and Ministers. This right of access is subject to exceptions and exemptions necessary to protect essential public and private interests.

Making a valid request

Under section 17 of the FOI Act, a request must meet three requirements to be valid:

1. your request must be in writing;
2. you must provide sufficient information about the documents you are requesting so the agency or Minister you send your request to can identify and locate relevant documents; and
3. you must pay the application fee, or if payment of the application fee would cause you hardship you can request the agency or Minister to waive the fee in full or in part.

For more information on making a request for documents, visit the Office of the Victorian Information Commissioner's (**OVIC**) website www.ovic.vic.gov.au.

After you submit a request

After you submit a request the agency will assess it to ensure it meets the requirements outlined in section 17 of the FOI Act. If the agency determines your request is not valid, it will notify you within 21 days from the date it received your request and provide you with assistance to help you make the request valid. If your request is valid, the agency will begin processing it.

Timeframes

The agency has 30 days from the date you make a valid request to provide you with a decision. However, the agency can extend this time by up to 15 days if it needs to consult with third parties whose information may be contained in the requested document(s). It may also extend this time by up to 30 days with your agreement. The agency will let you know if the timeframe changes.

Other charges

The agency may require you to pay certain charges before access is provided to the requested document(s). For example, the agency may charge for providing copies of the document(s) or supervising an inspection of the document(s). If these charges exceed \$50.00, the agency will notify you and request that you pay a deposit before proceeding with your request.

How your personal information may be handled

By submitting this form, you are providing your personal information to the agency. Your personal information will be used for the purpose of processing your request. The agency may consult with third parties in considering whether an exemption under sections 29, 31, 31A, 33, 34 or 35 of the FOI Act applies. This may involve disclosing details such as your name, the terms of your request, and the documents falling within the scope of your request that concern the relevant third parties.

If necessary, the agency may transfer your request under section 18 of the FOI Act to another agency or Minister who is better placed to handle your request. They will tell you if they do this.

You should contact the agency directly and discuss if you have any concerns about how the agency may handle your personal information.

1. Contact details

Your details

Title: _____ First Name(s): _____ Surname: _____

Organisation (if applicable): _____

Email address: _____

Contact number(s): _____

Postal address: _____

Suburb: _____ State/Territory: _____ Postcode: _____

Preferred contact method: _____

Do you need an interpreter? _____ If yes, what language? _____

Details of your representative (if applicable)

If you are using a representative like a parent, guardian, lawyer or any other person who is acting on your behalf, please advise who they are. If you are completing this form as the applicant's representative, advise who you are.

Title: _____ First Name(s): _____ Surname: _____

Organisation (if applicable): _____

Email address: _____

Contact number(s): _____

Postal address: _____

Suburb: _____ State/Territory: _____ Postcode: _____

Preferred contact method: _____

Relationship to applicant: _____

Your authority for representative to act (if applicable)

Please complete this section if a representative is assisting you with your request and attach a certified copy of your photo identification with this authority to act.

I give permission and authorisation for my representative to act on my behalf and have access to any information concerning my request.

Applicant

Name: _____

Signature: _____

Date: _____

Representative

Name: _____

Signature: _____

Date: _____

Witness

Name: _____

Signature: _____

Witness

Name: _____

Signature: _____

2. The documents you are requesting access to

Please identify, describe or outline the document(s) you are seeking access to.

Your request must provide sufficient information for the agency to identify and locate all relevant document(s). When writing your request, be specific about which document(s) you are seeking and include as much information as possible. Think about:

- what the document(s) relate to (for example, a complaint you made, or a particular project);
- the date range in which the document(s) may have been created;
- where the document(s) might be located (for example, in a particular email account, with a specific person, or held by a business or work unit); and
- the type of document(s) you seek (for example, an email, report, CCTV footage).

Please avoid using wording such as 'all documents' because your request may end up being too large for the agency to process, or it may not be specific enough for the agency to identify the document(s). If you are not sure how to frame your request, contact the relevant agency.

3. Additional information to assist the agency

Optional: please provide background or contextual information to assist the agency in processing your request. This could include your reasons for seeking access to the document(s) and what you intend to do with the document(s). Providing additional information may assist the agency to identify and locate document(s) relevant to your request. It may also assist them to identify other ways you may access the requested document(s) outside of the FOI Act.

4. Excluding documents or information you don't need

It is helpful to exclude certain documents or information from your request if it isn't particularly necessary or relevant. This may allow the agency to process your request more quickly by potentially reducing the number of documents to assess or removing the requirement for the agency to consult with third parties.

Do you require access to:

- draft documents Yes / No
- duplicate documents: Yes / No
- commercial information relating to third parties: Yes / No
- personal information relating to third parties: Yes / No

5. Proof of identification

If the documents you are seeking access to relate to you personally, you may need to provide the agency with a certified copy of your identification. The agency may not be able to provide access to the requested document(s) if it cannot verify that you are the person the subject of the document(s).

6. Edited copies

The document(s) you seek may contain exempt or irrelevant information. Under section 25 of the FOI Act, the agency can provide edited copies of document(s) with exempt or irrelevant information removed. However, an agency is only required to do this if you indicate you will accept an edited copy of the document(s), and if it is practicable for the agency to make edits. If you don't agree to receive an edited copy, the agency may decide the entire document is exempt and refuse access to it in full, even if there is some information that could be released to you.

I agree / I do not agree - to receive access to a copy of a document with exempt or irrelevant information removed in accordance with section 25 of the FOI Act.

7. Form of access

Please tell the agency how you would like to receive a copy of the document(s) it decides to release to you. This might be inspecting the document(s), a hardcopy sent by post, a copy sent by email, the document(s) copied onto a CD or USB to be picked up or sent by post. The agency will try to accommodate your request, but it may have to provide access in another way.

8. Application fee

The application fee for making a request for access under section 17 of the FOI Act is \$29.60. Contact the relevant agency to find out how you can pay the application fee.

Alternatively, if paying the application fee would cause you hardship, you may request the agency to waive the application fee in full or in part.

If you request a waiver, please provide evidence to show why paying the fee would cause you hardship, such as a concession or healthcare card, bank statement, or statutory declaration outlining why payment would cause hardship. The agency will assess your fee waiver request and let you know the outcome.

9. Submitting your request

You may make your request to the relevant agency by email, post, or via the online portal (for select agencies only). If you are unable to make your request via these methods, please contact the agency to discuss other options.

For a list of agencies which allow online requests, visit '[Make your request online](#)' on OVIC's website.

If an agency is not listed there, visit '[Find an agency](#)' on OVIC's website to search for contact details for all Victorian agencies subject to the FOI Act and make your request by email or post.

Further assistance

If you have questions about how to make your request or need more information about freedom of information, you can contact the agency who has the documents you are seeking, or contact OVIC on the details below.

OVIC does not process requests on behalf of, or for other agencies. You must submit this form to the relevant agency.

Email: enquiries@ovic.vic.gov.au

Telephone: 1300 006 842

Website: www.ovic.vic.gov.au