



Important general advice for applicants

The Freedom of Information Act 1982 generally doesn't result in speedy decisions

- Council processes Freedom of Information Act 1982 (FOI Act) applications as quickly as possible. However, you may find the process to be slow. The reason the process may seem slow is due to the intricacies of the FOI Act and Council's commitment to adhering correctly to the Act. This ensures that FOI applications are attended to properly and all affected parties are fairly treated.
- Clarification of the terms of an application and the requirement for access charges to be paid can reset the 'due date' for Council's decision on access to documentation.

Applications must be clear or they cannot be processed

- An FOI application must be worded in a way that clearly identifies the requested document. Applications often need some work before they become valid under the FOI Act; Council's FOI Officer is required to assist the applicant to clearly state which document is being sought.

Council must complete a thorough and diligent search

- When an application becomes valid under the FOI Act, Council is required to complete a thorough and diligent search for each document that was requested. The discovered documentation is then considered for potential release in terms of the requirements of the FOI Act.

Access charges apply to FOI requests (in addition to the application fee)

- The legislation requires that FOI applicants contribute to the cost of processing their FOI request by paying for search time and copying charges.
- When access charges apply, Council notifies the FOI applicant as quickly as possible as to what the potential charges are likely to be.
- The current access charges rates are as follows :

Search fees	\$21.30 per hour or part thereof
Copying Fees	20 cents per black and white A4 page \$1.00 per colour A4 page
Other charges — including transcription and colour copying	Reasonable costs incurred by the agency

Consultation with third parties is often required

- Consultation is often required with third parties. For example, if a requested document contains information concerning someone else's personal affairs, or if a document holds a business or commercial entity's information, Council may be required to consult with the affected third party.

You may not receive the requested information

- Council's decision on access to a document must comply with the FOI Act. This means that some information may not be released to you. You have the right to request access to any Council document that is not already available to you by other means and Council endeavours to release as much information as possible, however you may not receive the requested information.

Appeal rights

- Applicants have appeal rights. Depending on the nature of the appeal, it may be made to Victoria's FOI Commissioner, or to the Victorian Civil and Administrative Tribunal.
- Affected third parties also have appeal rights against Council's FOI decisions. Documents that are subject to appeal are not released to the FOI applicant until the appeal is resolved.