



25 October 2019

Our reference: LEX 48559

Sam

By email: [foi+request-5754-32f51d00@righttoknow.org.au](mailto:foi+request-5754-32f51d00@righttoknow.org.au)

Dear Sam

### **Your Freedom of Information Enquiry**

I refer to your enquiry requesting access to information under the *Freedom of Information Act 1982 (FOI Act)*, received by Department of Human Services (**the department**) on 22 October 2019 and made in the following terms:

'Please settle the question regarding Aged Pension application and Income and assets test forms that are composed of internal boxed sections and the inducement to fill in those forms in all capitals [BLOCK LETTERS] and further to induce the applicant to place a signature in a box. The application forms are defective as this equates to signing a blank piece of paper pursuant to the application of the legal principle defined as the "Four corners rule".

That your Department Officer [Secretary] produce proof that the application forms are legal documents by proving that the four corners rule is of no legal effect and that the law supports the notion of conscripting someone to fill in the forms or be denied payment...

That your Department Secretary also provide an extract and/or copy of the Law that supports forced submission of these application forms before payments are made...'

### **Your enquiry is not a valid FOI request**

Having reviewed your enquiry, I do not consider that it currently meets the requirements of a valid FOI request under the FOI Act. This is because the right of access under the FOI Act provides for access to documents, not information.

Your enquiry does not clearly identify the documents you are seeking. Rather than requesting access to a document held by the department, you have requested information regarding Aged Pension forms.

As such, the purpose of this letter is to assist you in making a valid FOI request.

## How to make a valid FOI request

If you would like to proceed with an FOI request, you should seek to make a valid request addressed to the department.

To be considered valid, your request must:

1. be in writing;
2. state that it is an application for the purposes of the FOI Act. For example, 'I would like to make a request for documents for the purposes of the FOI Act';
3. provide such information concerning the document/s you are requesting, as is reasonably necessary to enable a reasonable officer of the department **to identify the documents requested**. In drafting the scope of your request you may wish to consider:
  - a. identifying a timeframe for your request;
  - b. specifying the type of documents you are seeking (e.g. *Operational Blueprint reference no. xxxxxxxx or Documents outlining the department's policy on [subject]*); and
  - c. specifying particular issues covering the documents you are seeking; and
4. give details of how we can correspond with you regarding your FOI request.

You can submit your request by post, email or you can attend a departmental office.

If you would like to proceed with a valid FOI request you can reply in writing to the following addresses:

- Reply by mail to:
  - Department of Human Services, PO Box 7820, Canberra BC, ACT, 2610. No stamp is required for this PO Box number.
- Reply by e-mail to:
  - [Freedomofinformation@humanservices.gov.au](mailto:Freedomofinformation@humanservices.gov.au)

## Publicly Available Information

The information you are seeking may be publicly available.

The department publishes information about its various policies, programs and procedures on its website, at the following link: <https://www.humanservices.gov.au/>

The department also publishes a list of its Operational Blueprints. You can review the department's Operational Blueprint files at the following link:

<http://operational.humanservices.gov.au/public/Pages/SiteMap/siteMap.html>

**Further assistance**

If you have any questions please email [FOI.LEGAL.TEAM@humanservices.gov.au](mailto:FOI.LEGAL.TEAM@humanservices.gov.au).

Yours sincerely

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Authorised FOI Decision Maker  
Freedom of Information Team  
Employment Law and Freedom of Information Branch | Legal Services Division  
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