

**RIGHTS WITH RESPECT TO REVIEW OF DECISIONS MADE BY
THE RESERVE BANK OF AUSTRALIA UNDER
THE FREEDOM OF INFORMATION ACT 1982**

Review of the Bank's decision may be sought by making application to the Principal Officer of the Bank (internal review), the Information Commissioner, the Administrative Appeals Tribunal, the Federal Court of Australia, or the Ombudsman. Further information appears below. It should be noted that it is a summary and does not set out, in detail, all the possible combinations of procedures:

1. Internal Review

An internal review of the Bank's decision may be sought in terms of section 54B of the *Freedom of Information Act* (the Act). The application for internal review should be made within 30 days or such further period as the Bank allows after the day on which this decision is notified to you. An application for review must be in writing and addressed to the Governor, Reserve Bank of Australia. The application can be posted to GPO Box 3947, Sydney NSW 2001, or submitted via e-mail to governor@rba.gov.au, or delivered in person to the Bank's offices at 65 Martin Place. No particular form is required, but it is desirable to set out in the application the grounds on which you consider that the decision should be reviewed. Any queries you may have concerning an application for internal review should be directed to the Secretary, Secretary's Department, Reserve Bank of Australia. Queries can be submitted by post to GPO Box 3947, Sydney, NSW, 2001 or submitted via e-mail to foi@rba.gov.au, or by phone: (02) 9551 9710.

The person conducting the internal review will make a fresh decision of the Bank (section 54C(3)).

The findings on questions of fact and the reasons for the Bank's decision following the internal review will be given at the time of notification of the Bank's decision. In accordance with section 26 of the Act, where the Bank's decision refuses access or defers access to documents, notification of the decision must state the findings on questions of fact and state reasons for the decision.

2. Review by the Information Commissioner

A review of a decision to deny access to a document (or part of a document) can be sought by application to the Information Commissioner in terms of section 54N of the Act.

3. Review by the Administrative Appeals Tribunal

Decisions of the Information Commissioner, made under sections 55K or 54W(b), can be appealed to the Administrative Appeals Tribunal, in terms of section 57A of the Act.

The Administrative Appeals Tribunal has power in terms of section 58 of the Act to review the decision of the Bank in respect of the request made under the Act and to decide any matter in relation to the request. The decision of the Administrative Appeals Tribunal has the same effect as a decision of the Bank.

4. **Review by the Federal Court of Australia**

Review may be sought pursuant to section 11 of the *Administrative Decisions (Judicial Review) Act 1977*.

Subject to any extension granted by the Court, application must be made within 28 days from the date of receipt of a notice of decision (section 11(3)(a) of the Administrative Decisions (Judicial Review) Act).

An application for review must be made in such manner as is prescribed by the Rules of Court of the Federal Court of Australia or the Federal Circuit Court of Australia (whichever is applicable) and must set out the grounds on which the Application is made, consistent with section 11(1) of the Administrative Decisions (Judicial Review) Act.

5. **Complaints to Ombudsman**

A person may complain to the Ombudsman at any time about action taken by the Bank in the exercise of powers or the performance of functions under the Act (section 5 of the *Ombudsman Act 1976* and section 89F of the Act.)

6. Non-English speaking persons may request the Bank to have this statement of rights interpreted in their first language.