



## Getting started

The Office of the Australian Information Commissioner can review a Freedom of Information (FOI) decision made by an Australian Government agency or an Australian Government Minister.

The Office does not review FOI decisions made by State, Territory or local government agencies.

The Office encourages you to apply for an internal review by the agency before lodging a request for review with this Office. Information relating to the internal review process (<https://www.oaic.gov.au/freedom-of-information/reviews/internal-review/>) is available on our website (<https://www.oaic.gov.au/>).

Information relating to the Information Commissioner review process (<https://www.oaic.gov.au/freedom-of-information/reviews/information-commissioner-review-process/>) is available on our website. Part 10 of the FOI Guidelines (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/>) (Review by the Information Commissioner) describes the principles that inform the OAIC's approach to Information Commissioner review.

An application for review must be submitted in writing, either via this form, an email, by fax or in a letter. If you have trouble completing this form please send an email to [FOIDR@oaic.gov.au](mailto:FOIDR@oaic.gov.au) or contact our enquiries line on 1300 363 992.

# Your details - IC review applicant

If you have contacted the OAIC previously about this or another matter, please provide your previous reference number (eg E11/00001, MR18/00001)

Title

Given name \*

Family name \*

Preferred contact method (you must provide at least one contact method) \*

Email	Phone	Post	Other
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Email address \*

Phone (daytime)

Mobile

Postal address

Other contact details (eg. fax or international address)

Do you require any assistance to participate in the IC review process?  
For example: an interpreter. Please detail below.

Do you have someone you would like to represent you in your review? \*

Yes	No
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# Review details

## Agency or Minister

Please select the Australian Government agency or Minister that made the decision you want reviewed. If you want more than one decision reviewed, you will need to make a separate application for each decision. \*

Australian Government Agency
Minister

## Agency information

Please select the Australian Government Agency that made the decision you want reviewed \*

- Administrative Appeals Tribunal
- Attorney-General's Department
- Australian Federal Police
- Australian Securities and Investments Commission
- Australian Taxation Office
- Australian Transaction Reports and Analysis Centre
- Commonwealth Ombudsman
- Department of Defence
- Department of Education
- Department of Jobs and Small Business
- Department of Foreign Affairs and Trade
- Department of Health
- Department of Human Services
- Department of Home Affairs
- Department of Prime Minister and Cabinet
- Department of Social Services
- Department of the Treasury
- Department of Veterans' Affairs
- Other

Other Australian Government Agency \*

Department of Infrastructure, Transport, Regional Development and Communications
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# Previous contact with agency

If the agency has given you a reference number relevant to your FOI request, please provide it here.

21-052

**NOTE:** We do not need to know your tax file number, so please do not provide it.

## Information Commissioner review details

Have you received a decision \*

Yes

No

To make a valid application for IC review you must send us a copy of the decision you want reviewed. If a decision is not provided, your application may not be valid. \*

Files you attach **must**:

- be in \*.jpg, \*.gif, \*.png, \*.pdf, \*.doc, \*.docx, \*.txt, \*.xls, \*.xlsx format
- be no more than five files in total
- no larger than 20MB.

problem.txt



Is the decision that you are seeking review of an original decision or an internal review decision? \*

Original decision

Internal review decision

Have you sought internal review of the original decision? \*

Yes

No

*The OAIC encourages you to apply for an internal review by the agency before lodging a request for review with the OAIC. Information relating to the internal review process (<https://www.oaic.gov.au/freedom-of-information/reviews/internal-review/>) is available on our website.*

Do you intend to apply for internal review by the agency? \*

Yes

No

When was the decision made? \*

30 Nov 2020

In most cases you must apply for IC review (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/#application-for-ic-review>) within 60 days of being notified of the Minister's or agency's decision to refuse access to documents (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/#access-refusal-decisions>). You must apply within 30 days if you are requesting review of a decision to grant access to documents to another person (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/#access-grant-decisions>).

You can also ask the Information Commissioner to grant you more time to apply for IC review.

Is your application for IC review being made within the above timeframes? \*

Yes

No

I am seeking IC review because the Agency or Minister (*more than one option can be selected if appropriate*): \*

refused access to documents or parts of documents I requested

Advise scope of review. \*

Please provide a summary of which exemption/s you disagree with and provide reasons why you disagree.

Are there any particular documents (noting document or folio number) that you would like reviewed?

47F personal privacy  
Some might be agency staff. I think document can be release with only the username of the e-mail address hidden.

47G business  
I do not agree.

22 irrelevant  
They are part of the document.

refused access because a practical refusal reason exists

refused access because documents cannot be found

deferred access to documents I requested

refused to make corrections to my personal information

decided to release information about me or my business.

charged me incorrectly

Please list reasons for disagreeing with the decision to impose or to refuse to waive or reduce a charge \*

See FOI Guidelines – Part 4 – Charges for providing access (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-4-charges-for-providing-access/>) for more information

Went over time limit which was on November 30, 2020. I think the third party's review time is part of the time limit.

Search and retrieval, decision making times seems too long.

granted access to documents but I have not received them

granted access to a qualified person and not directly to me

refused to extend the time for me to seek an internal review

granted access to documents that I was consulted about

granted access to documents that my business was consulted about

Please provide a summary of why you think the decision is wrong \*

Email to and from agency is at  
[https://www.righttoknow.org.au/request/call\\_of\\_duty\\_black\\_ops\\_cold\\_war](https://www.righttoknow.org.au/request/call_of_duty_black_ops_cold_war)

If you would like review of the personal privacy exemption (s 47F), do you have consent of the third party/ies whose information you seek

Yes	No
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Does your Information Commissioner review application relate to other legal proceedings? \*

(for example, Administrative Appeals Tribunal, Federal Court, Federal Circuit Court etc.)

Yes	No
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What action or result would you like from the Information Commissioner \*

An Information Commissioner decision.

## Supporting documents

To assist us, please provide the following:

- a copy of your original FOI request to the Agency or Minister
- a copy of the decision made on your request if one has been received, and
- any correspondence you have had with the Agency or Minister.

If you are lodging the review for someone else, you should also attach any documents which indicate you are authorised to act for that person. You can attach these documents electronically or provide them by post.

You may also attach other relevant documents that support your application.

*Files you attach **must**:*

- *be in \*.jpg, \*.gif, \*.png, \*.pdf, \*.doc, \*.docx, \*.txt, \*.xls, \*.xlsx format*
- *be no more than five files*
- *in total be no larger than 20MB.*

Do you have any paper documents you will be posting to the OAIC? \*

Yes	No
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# Submission

## Submitting your application for review

Please review the information you have provided in this form. If you would like to change anything, you can return to the relevant section by using the **Go Back** button.

Once you are ready to submit your form, click the **Submit** button below.

Once you submit your form, you will be taken to a confirmation page. This page will provide a receipt number for your submission, and you will be able to download a copy of your completed form or have a copy sent to an email address of your choice.

Further information about the Information Commissioner review process (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/>), including about what happens when an Information Commissioner review application is made (<https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-10-review-by-the-information-commissioner/#steps-in-the-information-commissioner-review-process>), can be found on our website (<https://www.oaic.gov.au/>).