

FREEDOM OF INFORMATION FACT SHEET

Request for Access to Documents
under Section 13 of the *Freedom of Information Act 1991*

Please read this fact sheet before completing the attached application form

Requests for Access to Documents

Requests for access can be made for any document or documents that are held by State Government Agencies, Local Councils or Universities. You need to apply directly to the agency that holds the document. All requests will be dealt with by the agency's Accredited FOI Officer.

You will need to provide sufficient information to enable the correct document or documents to be identified. If you are uncertain, the agency can assist you in clarifying your request.

If you are seeking documents relating to your own personal affairs you may be requested to provide proof of your identity. Alternatively, if you are seeking access to documents on behalf of another person relating to their personal affairs, you may be asked to submit written consent signed by that person.

After processing your application the agency is required to provide you with a written determination in relation to your application. This is called a Notice of Determination. The Notice of Determination will include the agency's decision in relation to your request and, if access has been refused in full or in part, the reasons why this has occurred.

How can I request the documents be provided?

You can request access to documents in various forms depending on how the information is stored. The different ways you can access documents include:

- inspecting documents
- requesting a copy of documents
- hearing and viewing audio and video tapes
- requesting a transcript of a recorded document
- requesting a transcript of words recorded in shorthand/ encoded form
- requesting a document be produced from computerised information.

How long will it take?

A request for access will be dealt with as soon as practicable, or within 30 calendar days of it being received. In certain circumstances the agency may extend the timeframe for dealing with your application. The agency will advise you within 20 calendar days if an extension is necessary.

If the agency has not extended the timeframe for dealing with your application and you do not receive a determination within 30 calendar days, the legislation deems that the agency has refused your application. If this is the case you are entitled to lodge an application for review or appeal. For further information you should speak to the agency that you originally sent your FOI request to, or contact State Records of SA on telephone 08 7322 7077.

How much will it cost?

The fees and charges for making and processing a Freedom of Information application are as follows.

- Application fee for access to documents is **\$44.70**.
- Charges for processing an application for access are:
 - for documents concerning your personal affairs, the first two hours are free after which **\$16.90** is charged for each subsequent 15 minutes
 - for all other documents, there is a charge of **\$16.90** for each 15 minutes spent.
- In addition to these charges the following is payable in respect to:
 - a photocopy of the document **\$0.30 per page**
 - a written transcript of words recorded or contained in the document **(\$10.00 per page)**
 - a copy of a photograph, x-ray, DVD or other medium in or on which information is recorded or stored **(the actual cost incurred in producing the copy)**
 - any postal or delivering charges incurred.
- The fee for making an application for a review of a determination is **\$44.70**.

If you are dissatisfied with a fee or charge calculated by the agency, you are entitled to request the agency for a review. You are not required to pay a fee or any other charge for this review. If you are still dissatisfied with the outcome of that review, you can seek a further review from the Ombudsman or, for applications made to SA Police, the Police Complaints Authority.

Generally agencies accept payment by cash, money order or cheque. However, if you would like to pay by credit card you will need to ask the agency if they are able to accept credit card payments.

What if I have a concession card or can't afford to pay?

In some cases the fee for your application can be waived. If you are the holder of a current concession card, or if you can satisfy to the agency that the payment of the fee would cause financial hardship, the agency must waive or remit (reduce or refund) the application fee.

If you are a concession cardholder you will need to provide the agency with evidence, eg you should attach a copy of your concession card when you make the application. Alternatively you will need to give written reasons as to why the payment of a fee would cause you financial hardship.

Access to documents by Members of Parliament

A Member of Parliament who applies for access to a document held by a State Government Agency, Local Government Council or University is entitled to access the document without charge unless the work generated by the application involves fees and charges totalling more than \$1,000.

Further Information

Information about Freedom of Information is also available through public libraries, community centres and government agencies, or visit the State Records SA website www.archives.sa.gov.au. To purchase a copy of the Freedom of Information Act 1991, please visit a Service SA Customer Service Centre or the Service SA online shop at <https://shop.service.sa.gov.au/>.



APPLICATION FOR ACCESS TO DOCUMENTS
Under s13 of the Freedom of Information Act 1991

Lodgement of Application

This form and any fee must be lodged at:

The Barossa Council
43 – 51 Tanunda Road
(PO Box 867)
Nuriootpa SA 5355

Or at a Barossa Council branch during normal opening hours or via email at barossa@barossa.sa.gov.au (with fee paid via credit card over the telephone on 8563 8444).

Details of Application

Last Name:

First Name:

Australian Postal Address:

Post Code:

Tel (w):

Tel (h):

Tel (m):

Email:

Details of Request

Describe the documents to which you seek access. If you are applying for access to personal information please provide sufficient information to assist with identification of documents, eg date of birth, previous name etc.

These documents *do / do not* contain information about my personal affairs.
(Please circle whichever applies)

Form of access (please tick appropriate box)

I wish to inspect the documents	☐ Yes	☐ No
I require a copy of the documents	☐ Yes	☐ No
I require access in another form	☐ Yes	☐ No

Specify:

Fees and Charges

An application fee of **\$44.70** must be submitted with the completed application form, unless you are seeking to have the application fee waived. Please attach evidence, eg a copy of your concession card, or other evidence as proof of financial hardship if this the case.

You are not required to pay a fee or charge for seeking a review of a fee or charge.

In the following section please tick as appropriate:

Do you qualify for fee waiver?	☐ Yes	☐ No
Is proof attached or sighted?	☐ Yes	☐ No
Is the fee attached?	☐ Yes	☐ No

Application Fee is in the form of:

☐ Cheque	☐ Credit Card	☐ Cash	☐ Money Order
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(Please do not send cash through the mail)

Credit card payments can be made in person at The Barossa Council's principal office 43 – 51 Tanunda Road, Nuriootpa or over the telephone by contacting 8563 8444.

If no fee is attached and you do not qualify for fee waiver then this application will not be valid until the fee has been received by The Barossa Council.

In the event that The Barossa Council varies or reverses a determination so that access to a document is given (either immediately or subject to deferral) The Barossa Council will refund any application fee paid for the review of the determination.

Applicant's Signature:

OFFICE USE ONLY

Date / / 20.....

Received on / / 20.....

Acknowledgment sent on / / 20.....