



Freedom of Information Application for Internal Review of Determination

(In accordance with Section 29 & 38 of the Freedom of Information Act 1991, as amended)

Details of Applicant

Surname

Given names Title: (Mr/Ms/Miss)

Australian Postal Address

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Post Code: Tel: (home) (work)

Mobile: Email:

I have submitted an application requesting access to documents in accordance with the Freedom of Information Act 1991.

I am not satisfied with the determination made by your council and therefore seek a review of this determination because: (place tick in appropriate box)

- I have been refused access to a document
- I have been refused access to part of a document
- I have been refused to amend a personal document
- I have been given access to a document but access has been deferred
- I believe I have been charged too much
- I am a third party specified in the documents but have not been consulted about giving access to another person
- I have been consulted but disagree with a decision to release the documents
- Other (please state reason)

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Comments

You may include any additional comment you wish to be considered in the review of the determination (include additional pages if necessary)

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Fees

Council **did / did not** grant me a reduction in fees and charges when I applied for access to documents. (please cross out whichever does not apply)

If you were granted a reduction in fees and charges, there is no fee payable for this application. If no reduction in fees and charges was granted, a fee of \$40.75 must be submitted with the completed application form. Attached is a cheque / cash / money order to cover the application fee. (please do not send cash through the mail)

Applicant's signature: **Date** / /

COUNCIL USE ONLY

Received on / /

Acknowledgement sent on: / /

Freedom of Information

Your Rights to Review and Appeal

1. Internal Review

If you are dissatisfied or concerned with the decision of the Council regarding access to documents or the request for amendment to your personal records, you can apply for an internal review of that decision.

To apply for an Internal Review, you must write a letter addressed to the Principal Officer or lodge an Internal Review application form with the Principal Officer of the Council that made that decision. The application must be accompanied by a fee of **\$40.75** unless the fee is waived in the original Freedom of Information application in which case there would be no fee payable for the application. The application must be lodged within 30 calendar days after being notified of the decision. – FOI Act 1991 Division 3, Section 29(2)(e)

The Council will undertake the Internal Review and advise you of its decision within 14 calendar days of receipt of the application. – FOI Act 1991 Division 3, Section 29(5)

Where the decision was made by the Principal Officer of the Council, you are unable to request an internal review but you can apply for an external review by the Ombudsman or the Police Complaints Authority.

You are unable to apply for an Internal Review regarding a decision to extend the time limit for dealing with an application but you can apply for an external review.

2. External Review by the Ombudsman or the Police Complaints Authority

After an internal review has been completed, or where you have been unable to apply for an internal review, and you are still dissatisfied with the decision you can apply for an external review by the Ombudsman or the Police Complaints Authority. If the decision was made by a police officer or the Minister for Police, applications for External Review must be made to the Police Complaints Authority. All other applications for External Review should be made to the Ombudsman. The Ombudsman or the Police Complaints Authority is empowered to investigate the decision made.

You may also request an External Review by the Ombudsman or the Police Complaints Authority if you have no right to an Internal Review.

The application for review by the Ombudsman or Police Complaints Authority should be lodged within 30 calendar days after the date of a determination. The Ombudsman or the Police Complaints Authority, in its discretion may extend this time limit.

Investigations by the Ombudsman or the Police Complaints Authority are free. Further information is available from the Office of the Ombudsman or Police Complaints Authority.

State Ombudsman

Phone: 8226 8699

Toll Free: 1800 182 150 (outside metro SA only)

Email: ombudsman@ombudsman.sa.gov.au

Police Complaints Authority

Email: policeombudsman@agd.sa.gov.au

3. Appeal to the District Court

If you are still dissatisfied with the decision made by the Council after an Internal Review or after a review by the Ombudsman, or the Police Complaints Authority, you can appeal to the District Court.

Applications must be made within 30 calendar days after the relevant decision was provided to you or, if you have sought an investigation by the Ombudsman or the Police Complaints Authority, within 30 calendar days after the result of the Ombudsman's or the Police Complaints Authority's investigation was reported to you.

The procedures relating to applications to the District Court are established by the Court. Any costs will be determined by the District Court, where applicable. For more information, contact the District Court of South Australia Civil Registry.