

APPLICATION



Request for Access to documents under FOI

Use this application form to seek access to documents under the *Freedom of Information Act 1982*

Making a valid request

Under section 17 of the FOI Act, a request must meet three requirements to be valid:

1. Your request must be in writing;
2. You must provide sufficient information about the documents you are requesting to enable us to identify and locate relevant documents; and
3. You must pay the application fee of \$33.60, or if payment of the application fee would cause you hardship, you can request us to waive the fee in full or in part.

Submitting your request

FOI Requests can be made by:

Post: Freedom of Information Officer
Moir Shire Council
PO Box 578
COBRAM VIC 3643

Email: info@moira.vic.gov.au

After you submit a request

After you submit a request, we will assess it to ensure it meets the requirements outlined in section 17 of the FOI Act.

If we determine that your request is not valid, we will notify you within 21 days from the date we received your request and provide you with assistance to help you make the request valid. If your request is valid, we will begin processing it.

Timeframes

We have 30 days from the date you make a valid request to provide you with a decision. However, we can extend this time by up to 15 days if we need to consult with third parties whose information may be contained in the requested documents. We may also extend this time by up to 30 days with your agreement. We will let you know if the timeframe changes.

Other charges

We may require you to pay certain charges before access is provided to the requested document(s). For example, we may charge for providing copies of the document(s) or supervising an inspection of the document(s). If these charges exceed \$50.00, we will notify you and request that you pay a deposit before proceeding with your request.

Privacy Collection Statement

Moir Shire Council will use the personal information collected on this form to manage this FOI request and associated processes. If you do not provide the information required, we may not be able to process your application.

Information collected may be disclosed to the Office of the Victorian Information Commissioner or Victorian Civil Administrative Tribunal or if required or authorised by law. You can find out more about how we use and protect your information by viewing our Privacy Statement on our website www.moira.vic.gov.au.



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Applicant Details:

Name	
Company / Firm	
Postal Address	
Email	
Telephone	

Signature: **Date:**

If you are lodging a Freedom of Information (FOI) request on behalf of a client, you must provide evidence to show that your client has authorised you to:

- make an FOI request on their behalf;
- liaise directly with Council in relation to the FOI request;
- receive copies of any documents released to the applicant by Council.

Authorisations may be in the form of a letter, signed by the client, confirming the above.

Client authorisation attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Proof of identification (*if applicable*):

If the documents you are seeking access to relate to you personally, you may need to provide us with a certified copy of your identification. We may not be able to provide access to the requested documents if we cannot verify that you are the person the subject of the documents.

Proof of identification attached: ☐ Yes ☐ No

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Documents required:

Please identify, describe or outline the document(s) you are seeking access to.

Your request must provide sufficient information for us to be able to identify and locate all relevant documents. Be specific about which documents you are seeking and include as much information as possible - including what the documents relate to, the date range in which the documents may have been created, and the type of documents you seek (for example, an email, report).

Please avoid using wording such as 'all documents' because your request may end up being too large for us to process, or it may not be specific enough for us to identify the document(s). If you are not sure how to frame your request, please contact us.

It may be helpful to exclude certain documents or information from your request if it isn't particularly necessary or relevant. This may allow us to process your request more quickly by potentially reducing the number of documents to assess or removing the requirement for us to consult with third parties. Are you requesting access to:

Draft documents: ☐ Yes / ☐ No

Duplicate documents: ☐ Yes / ☐ No

Information relating to third parties:

Commercial information: ☐ Yes / ☐ No

Personal information: ☐ Yes / ☐ No

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Edited documents:

The document(s) you requested may contain exempt or irrelevant information. Under section 25 of the FOI Act, we can provide edited copies of document(s) with exempt or irrelevant information removed. However, we are only required to do this if you indicate you will accept an edited copy of the document(s), and if it is practicable for us to make edits. If you don't agree to receive an edited copy, we may decide the entire document is exempt and refuse access to it in full, even if there is some information that could be released to you.

Do you agree to receive a copy of a document with exempt or irrelevant information removed in accordance with section 25 of the FOI Act?

- ☐ I agree
- ☐ I do not agree

Form of Access (*tick the option/s that apply to you*):

- ☐ I wish to receive a hard copy of the documents
- ☐ I wish to receive an electronic copy of the documents
- ☐ I wish to inspect the documents on site

Application Fee:

The application fee of \$33.60 is a non-refundable, fixed cost required under legislation.

- ☐ I have enclosed payment of \$33.60
- OR
- ☐ I am suffering financial hardship and request a fee waiver

Evidence of financial hardship must accompany fee waiver requests. Under s 17 (2b) of the Freedom of Information Act 1982, if payment of the application fee would cause financial hardship, you may apply for the fee to be waived. To be eligible for consideration of a fee waiver, you must supply evidence that supports your application. Suitable evidence can include a low income concession card issued by Centrelink or evidence of unemployment. The fee waiver request applies only to the application fee.

Access Charges:

In order for Council to release documents to you once a decision has been made, you will be required to pay access charges. It may be necessary to pay a deposit in relation to access charges.

- ☐ I understand documents will not be released to me until necessary access charges have been received by Council in full

