



Freedom of Information Request for Access to Documents

Office Use Only:
FOI No.

Details of Applicant

Surname:
Given Names: Title (Mr/s etc.):
Australian Postal Address:
.....
Postcode: Telephone: (Home) (Work)
(Mobile) Email:

Details of Information Sought

(Please be as specific as possible, to keep costs to a minimum.)

1. I request access to the following documents:
.....
.....
.....
.....
.....
.....
.....
.....
.....

2. Personal Affairs

(These documents do/do not contain information about my personal affairs)
(Please cross out which ever does not apply.)

3. Form of Access

I wish to inspect the document(s) Yes No
I request a copy of the document(s) Yes No
I request access in another form Yes No

(Please tick the appropriate box (es). If access in another form is required, please specify your request.)

.....
.....

4. **Fees and Charges**

Attached is a cheque/money order/cash to the amount of \$42.00 to cover the application fee. (Please do not send cash through the mail.)

I understand that I may be required to pay processing charges in respect of this request and that I will be supplied with a statement of charges if appropriate. The current charges are provided in the attached Guidelines.

Note: In certain cases, a reduction in fees and charges may apply. Please refer to the Guidelines. If you consider you are entitled to a reduction, please include details of your circumstances with this application and attach photocopies of supporting documents.

I am requesting a reduction in fees and charges (please tick appropriate box).

No
Yes

5. **Address for Request Forms**

Send this Request to:

Freedom of Information Officer
City of Unley
PO Box 1
UNLEY SA 5061

or deliver this Request to:

Freedom of Information Officer
Civic Centre
City of Unley
181 Unley Road
UNLEY SA 5061

APPLICANT'S SIGNATURE Date/...../20.....

(Council use Only)

Receipt number

Received on/...../20.....

Acknowledgement sent on/...../20.....

Freedom of Information Guidelines

1. The Legislation

The Freedom of Information Act 1991 is State legislation. It gives the right of access to documents (subject to certain restrictions) within South Australian State and Local Governments' possession. The Act also provides for amendment of documents that relate to you which are incomplete, incorrect, out of date or misleading.

This law also applies to statutory authorities, boards and ministers, public hospitals and health units, regulatory bodies and universities. Similar (but not identical) legislation applies to the Commonwealth and other State Governments. If you think the information you want is held by these other Governments, you will need to contact them directly.

"Freedom of Information" (FOI) gives access to documents in the possession of Governments only. It does not give you a right of access to documents in the possession of the private sector. Other legislation may have a bearing on access to some documents e.g. the Copyright Act 1968, Privacy Act 1988, Ombudsman Act 1972, Whistleblowers Protection Act 1993 and the State Records Act 1997.

The Council publishes an Information Summary annually, describing the types of documents that are available for public inspection. Please enquire further if you are interested to see this Summary.

2. Request for Access to Documents

- Many government documents are already publicly available. It is not necessary to lodge an FOI request to see these. Please discuss your requirements with Council's Freedom of Information Officer. It may save time and money!
- You should provide sufficient information to enable the correct document(s) to be identified, although the Council will assist you with your request.
- If you are seeking document(s) relating to your personal affairs the Council may request proof of your identity.
- If you are seeking a document(s) on behalf of another person, which relates to his or her personal affairs, the Council may ask you to submit a consent form signed by that person.
- A request will be dealt with as soon as practicable (and usually within 30 days) after it is received.
- The Council on receiving an FOI request may assist you to direct your enquiry to another agency, or transfer the request to another agency, as appropriate.
- A number of exemptions are necessary to ensure that other people's privacy is not unduly invaded, or the proper administration of the government is not unduly affected. The types of documents that are restricted (or "exempt" from access) include:
 - policy documents from before 1 January 1987;
 - documents subject to legal professional privilege;
 - documents that contain trade secrets or information of commercial value;
 - documents affecting law enforcement and public safety; and
 - documents that would lead to an unreasonable disclosure of another person's affairs.

3. Forms of Access

Various forms of access are available, depending on the form in which the information is stored and any restrictions to access, that may apply. Forms of access include:

- Inspection of documents.
- Copy of documents.
- Hearing and/or viewing audio and/or video tapes.
- Transcript of recorded documents.
- Transcript of words recorded in shorthand or encoded form.
- Printing documents from electronic information.

Where the Council is unable to grant access in the form you requested, you may be granted access in a different form.

4. Amendment of Personal Records

If you have been granted access to a document, you may apply further to have the document corrected if you believe it is incomplete, incorrect, misleading or out of date. There is a specific application form for this purpose. Please discuss your request with Council's Freedom of Information Officer.

5. Application Fees and Processing Charges

- The application fee is prescribed in the State Government's Regulations and is currently \$42.00. A cheque, money order or cash for this amount must be forwarded to the Council with your request form.
- Processing charges may also apply for dealing with your request. These are set in the Regulations and may include some free time. The current schedule of fees and charges is shown below.
- Fees will not be charged where financial hardship can be verified. Fees and charges will not apply to concession card holders, where a photocopy of a valid card accompanies the Request form.
- Where significant correction of a personal record results from an FOI request, and the error is not your fault, a 100% refund of all fees and charges will be granted.
- A Member of Parliament who requests access to Council documents is entitled to access without charge, unless the costs involved total more than \$1000.

6. Dissatisfaction

Sections 18, 20 and 21 of the Freedom of Information Act 1991, explain the circumstances under which the Council may refuse or defer access to information. If a document is "exempt", the Council will explain why access has been refused and will inform you of your appeal rights.

A separate request form and Guidelines are available regarding your rights and the process for Review and Appeal.

7. Further information

- See the State Records website, www.archives.sa.gov.au and go to Freedom of Information.
- You may purchase the Freedom of Information Act 1991, which is available from Services SA – Government Information Centre (phone 13 2324 at 101 Grenfell Street Adelaide).
- Telephone the Unley Council on 8372 5111 and ask for the Freedom of Information Officer.
- See Council's website, www.unley.sa.gov.au

South Australia - Freedom of Information (Fees) Notice 2024

under the *Freedom of Information Act 1991*

1—Short title

This notice may be cited as the *Freedom of Information (Fees) Notice 2024*.

Note— This is a fee notice made in accordance with the *Legislation (Fees) Act 2019*.

2—Commencement

This notice has effect on 1 July 2024.

3—Interpretation

In this notice, unless the contrary intention appears—

Act means the *Freedom of Information Act 1991*.

4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act.

Schedule 1—Fees

1	On application for access to an agency's document (section 13(c))	\$42.00
2	(1) For dealing with an application for access to an agency's document and in respect of the giving of access to the document (section 19(1)(b) and (c))—	
	(a) in the case of a document that contains information concerning the personal affairs of the applicant—	
	(i) for up to the first 2 hours spent by the agency in dealing with the application and giving access	no charge
	(ii) for each subsequent 15 minutes so spent by the agency	\$15.90
	(b) in any other case—for each 15 minutes so spent by the agency	\$15.90
	(2) In addition to the fees specified in subclause (1), the following fees are payable in respect of the giving of access to an agency's document:	
	(a) where access is to be given in the form of a photocopy of the document (per page)	\$0.25
	(b) where access is to be given in the form of a written transcript of words recorded or contained in the document (per page)	\$9.35
	(c) where access is to be given in the form of a copy of a photograph, x-ray, DVD or other medium in or on which information is recorded or stored	the actual cost incurred by the agency in producing the copy
	Note —	
	If the applicant requires that a document be posted or delivered, the applicant must pay the actual costs incurred by the agency in posting or delivering the document.	
3	On application for review by an agency of a determination made by the agency under Part 3 of the Act (section 29(2)(b))	\$42.00

Made by the Attorney-General

On 16 May 2024