

Freedom of information request form

Request for documents form: section 17 – Freedom of Information Act 1982 (Vic)

Under the *Freedom of Information Act 1982* (Vic) (**FOI Act**), every person has the right to request access to documents held by Victorian public sector agencies and Ministers. This right of access is subject to exceptions and exemptions necessary to protect essential public and private interests.

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 so Council can identify and locate relevant documents; and
3. you must pay the application fee, or if payment of the application fee would cause you hardship you can request Council to waive the fee in full or in part.

For further information, please contact Council's FOI Officer on phone: (03) 5494 1200 or email: foi@loddon.vic.gov.au

After you submit a request

After you submit a request Council will assess it to ensure it meets the requirements outlined in section 17 of the FOI Act. If Council determines your request is not valid, it will notify you within 21 days from the date it received your request and provide you with assistance to help you make the request valid. If your request is valid, Council will begin processing it.

Timeframes

Council has 30 days from the date you make a valid request to provide you with a decision. However, Council can extend this time by up to 15 days if it needs to consult with third parties whose information may be contained in the requested document(s). It may also extend this time by up to 30 days with your agreement. Council will let you know if the timeframe changes.

Other charges

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

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How your personal information may be handled

By submitting this form, you are providing your personal information which will be used by Council to process your request. We may consult with third parties in considering whether an exemption under sections 29, 31, 31A, 33, 34 or 35 of the FOI Act applies. This may involve disclosing details such as your name, the terms of your request, and the documents falling within the scope of your request that concern the relevant third parties.

If necessary, Council may transfer your request under section 18 of the FOI Act to another agency who is better placed to handle your request. Council will tell you if we do this.

Please contact us if you have any concerns about how Council may handle your personal information.

Contact details

Your details

Title: _____ First Name(s): _____ Surname: _____

Organisation (if applicable): _____

Email address: _____

Contact number(s): _____

Postal address: _____

Suburb: _____ State/Territory: _____ Postcode: _____

Preferred contact method: _____

Please note: If you are using a representative like a parent, guardian, lawyer or any other person who is acting on your behalf, please complete the 'Details of your representative' section of this form on page 4

The documents you are requesting access to

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

Your request must provide sufficient information for Council to identify and locate all relevant document(s). When writing your request, be specific about which document(s) you are seeking and include as much information as possible. Think about:

- what the document(s) relate to (for example, a complaint you made, or a particular project);
- the date range in which the document(s) may have been created;
- where the document(s) might be located (for example, in a particular email account, with a specific person, or held by a particular department); and
- the type of document(s) you seek (for example, an email, report, CCTV footage).

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

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I am seeking the following documents in relation to

Additional information to assist Council

Optional: please provide background or contextual information to assist Council in processing your request. This could include your reasons for seeking access to the document(s) and what you intend to do with the document(s). Providing additional information may assist Council to identify and locate document(s) relevant to your request. It may also assist Council to identify other ways you may access the requested document(s) outside of the FOI Act.

Excluding documents or information you don't need

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

Do you require access to:

- draft documents ☐ Yes / ☐ No
- duplicate documents: ☐ Yes / ☐ No
- commercial information relating to third parties: ☐ Yes / ☐ No
- personal information relating to third parties: ☐ Yes / ☐ No

Proof of identification

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

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Edited copies

The document(s) you seek may contain exempt or irrelevant information. Under section 25 of the FOI Act, Council can provide edited copies of document(s) with exempt or irrelevant information removed. However, Council is only required to do this if you indicate you will accept an edited copy of the document(s), and if it is practicable for Council to make edits. If you don't agree to receive an edited copy, Council 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.

☐ I agree / ☐ I do not agree - to receive access to a copy of a document with exempt or irrelevant information removed in accordance with section 25 of the FOI Act.

Form of access

Please tell Council how you would like to receive a copy of the document(s) we decide to release to you. This might be inspecting the document(s), a hardcopy sent by post, a copy sent by email, the document(s) copied onto a USB to be picked up or sent by post. While not guaranteed, Council will try to accommodate your request, but may have to provide access in another way.

Application fee

The application fee for making a request for access under section 17 of the FOI Act is **\$33.60**. The following payment options are available for FOI fees and charges:

1. In person at our office located 41 High Street, Wedderburn
2. Cheque or money order, payable to 'Loddon Shire Council' posted to PO Box 21, Wedderburn 3518
3. Electronically by calling our Customer Service staff on (03) 5494 1200.

Alternatively, if paying the application fee would cause you hardship, you may request Council to waive the application fee in full or in part.

If you request a waiver, please provide evidence to show why paying the fee would cause you hardship, such as a concession or healthcare card, bank statement, or statutory declaration outlining why payment would cause hardship. Council will assess your fee waiver request and let you know the outcome.

Submitting your request

You may submit your request:

- In person at our office located 41 High Street, Wedderburn
- By email to foi@loddon.vic.gov.au
- By post to PO Box 21, Wedderburn 3518

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Details of your representative (if applicable)

If you are using a representative like a parent, guardian, lawyer or any other person who is acting on your behalf, please complete the 'Details of your representative' and advise who they are. If you are completing this form as the applicant's representative, advise who you are.

Title: _____ First Name(s): _____ Surname: _____

Organisation (if applicable): _____

Email address: _____

Contact number(s): _____

Postal address: _____

Suburb: _____ State/Territory: _____ Postcode: _____

Preferred contact method: _____

Relationship to applicant: _____

Your authority for representative to act (if applicable)

Please complete this section if a representative is assisting you with your request and attach a certified copy of your photo identification with this authority to act.

I give permission and authorisation for my representative to act on my behalf and have access to any information concerning my request.

Applicant

Name: _____

Signature: _____

Date: _____

Representative

Name: _____

Signature: _____

Date: _____

Witness

Name: _____

Signature: _____

Witness

Name: _____

Signature: _____

Office
Use

Receipt Number: _____

Date: _____

Loddon Shire Council
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PO Box 21, Wedderburn, Vic 3518
Telephone: (03) 5494 1200 Facsimile: (03) 5494 3003
Email: loddon@loddon.vic.gov.au

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