WHAT IS FREEDOM OF INFORMATION?

The Western Australian Freedom of Information Act 1992 gives people the right of access to documents held by Ministers, State Government Departments, Local Authorities and Statutory Authorities. These bodies are called Agencies.

A person has the right to apply for access to the documents of an agency. This right is not affected by any reasons the person has for wishing to obtain access or the Department of Housing belief as to what the person's reasons are for wishing to obtain access.

The objects of the Legislation are achieved by creating a general right of access to State and Local Government documents and assisting the public to obtain access to documents at the lowest reasonable cost.

- **Lodging requests with the Department of Housing**

  The application must be made in writing and give enough details to enable the requested documents to be identified. An address in Australia and, where possible, a contact telephone number should be provided. The application can be made by letter or by application form (attached).

- **Document**

  Includes any record or part of a record, and any copy or reproduction. It therefore covers files, computer printouts, maps, plans, photographs, tape recording, films, videos tapes or electronically stored information.

- **Exemptions**

  There are exemptions for some documents including the protection of essential public interest, personal or business affairs of others or the deliberative processes of Government. Sometimes access to only part of a document will be provided if it contains information considered to be exempt.

- **Notice of decision**

  The Department must give you written reasons if you are refused access or only given partial access. An explanation of any exemptions which may have been claimed, and why, will also be given. Your rights of review will be advised in the Notice of Decision. Further details are contained in the leaflet “Internal and External Review”

- **Cost**

  There is no application fee for your own personal information. However, for requests covering other than personal information, there is an application fee of $30 and charges for dealing with your application.

  The Department of Housing will consult with you to keep charges to a minimum. If you are financially disadvantaged, tell the Department because a 25% reduction in charges may be possible.

WHAT HAPPENS WHEN ACCESS IS GRANTED?

The Department of Housing will let you see the documents, and if you wish, give you a copy. In some cases, another form may be more appropriate, such as listening to a tape recording or watching a video.

If for some reason copies of documents cannot be made and sent to you, then the Department will discuss with you how, when and where you can view the material.

HOW TO APPLY TO AMEND YOUR PERSONAL INFORMATION

You can apply to the Department of Housing for correction or amendment of any documents containing your personal information. The application must be in writing, and you must give as much information as you can to show how or why the Department of Housing records are inaccurate, incomplete, or out of date or misleading. If the Department decides to amend the information, it can either alter the record, strike out, delete, or insert information or insert a note in relation to the contents. The Department of Housing must inform you of its decision, and reasons, together with your right of appeal if you are not satisfied.

The application can be made by letter or you can obtain an application form from any office of Department of Housing.
This application can be made by letter or you can obtain an application form from any office of the Department of Housing.

Further information can be obtained from:

FOI Co-ordinator
Legal and Legislative Services
Department of Housing
99 Plain Street
EAST PERTH 6004

Telephone: 6217 6246
Facsimilie: 9222 4585
Email: foi@housing.wa.gov.au

If you still have queries, write to:

The Office of the Information Commissioner
Albert Facey House
469 Wellington Street
Perth WA 6000

Telephone: 6551 7888
Facsimilie: 6551 7889
Email: foi@housing.wa.gov.au

FOI REGULATIONS 1993 (FEES AND CHARGES APPLY TO APPLICANTS FOR NON-PERSONAL DOCUMENTS ONLY)

1. TYPE OF FEE

Application fee under Section 12(1)(e) of the Act ................................................................. $30

2. TYPE OF CHARGE

(a) Charge for time taken by staff dealing with the application

(per hour, or pro rata for part of an hour) .............................................................................. $30

(b) Charges for access time supervised by staff

(per hour, or pro rata for part of an hour) .............................................................................. $30

plus the actual addition cost to the Department for any special arrangements (eg. hire of facilities or equipment).

(c) Charges for photocopying

(i) per hour, or pro rata for part of an hour of staff time; ................................................................. $30

and

(ii) per copy .......................................................................................................................................... 0.20

(d) Charge for time taken by staff transcribing from a tape or other device

(per hour, or pro rata for part of an hour) .............................................................................. $30

(e) Charge for duplication a tape, film or computer information ........................................... Actual Cost

(f) Charge for delivery, packaging and postage ............................................................................ Actual Cost

3. ADVANCE DEPOSITS

(a) Advance deposit which may be required under Section 18(1) of the Act,

expressed as a percentage of the estimated charges which will be

payable in excess of the application fee ................................................................................. 25%

(b) Further advance deposit which may be required under Section 18(4)

of the Act, expressed as a percentage of the estimated charges

which will be payable in excess of the application fee ......................................................... 75%
Application for Access to Documents
(under Western Australian Freedom of Information Act 1992, S.12)

DETAILS OF APPLICANT

SURNAME .................................................................................................................. GIVEN NAMES: ............................................................................................................

TITLE: .................... MR    MRS  MISS  MS  DATE OF BIRTH ............../.................../.......................

AUSTRALIAN POSTAL ADDRESS: ...........................................................................................................................................................................................

POSTCODE: ..................................................... TELEPHONE NUMBER(S): ................................................................................................................................

If application is on behalf of an organisation

NAME OF ORGANISATION/BUSINESS: ............................................................................................................................................................................................

AUTHORISATION

I do hereby authorise (name) ....................................................................................................................................................................................................
of (address) ........................................................................................................................................................................................................................................
to act as agent on my behalf.

DETAILS OF REQUEST

PERSONAL DOCUMENTS ☐ NON PERSONAL DOCUMENTS ☐ (Please see "FEES AND CHARGES")

I am applying for access to document(s) concerning ........................................................................................................................................................
.......................................................................................................................... ...
.......................................................................................................................... ...
.......................................................................................................................... ...

FORM OF ACCESS (Please tick appropriate box)

I WISH TO INSPECT THE DOCUMENT(S)  YES ☐ NO ☐ I REQUIRE A COPY OF THE DOCUMENT(S)  YES ☐ NO ☐

I REQUIRE ACCESS IN ANOTHER FORM  YES ☐ NO ☐ (SPECIFY) ..............................................................................................................................

APPLICANT'S SIGNATURE ............................................................................................................................ DATE .................../..................../........................

FEES AND CHARGES (for non personal applications only, please see FOI Regulations)

Attached is a cheque/money order in the amount of $ ................................................................. to cover the application fee.

I understand that before I obtain access to documents I may be required to pay for charges in dealing with this application and that I will be supplied with a statement of charges if appropriate.

In certain cases a reduction in fees and charges may apply - see section on General Provisions on the back of this form. If you consider you are entitled to a reduction, tick YES and supply documents in support of your application for a fee reduction.

I AM REQUESTING A REDUCTION IN FEES AND CHARGES  YES ☐ NO ☐ (Please tick appropriate box)

PROOF IN SUPPORT OF FEE REDUCTION:

TYPE: ............................................ SIGHTED: ......................................

TYPE: .............................................. SIGHTED: ...................

APPLICATION FEE RECEIVED ☐
FOI Applications

- Proof of your identity is required prior to documents being released.
- If you are seeking access to document(s) on behalf of another person, the Department will require written authorisation.
- Your application will be dealt with as soon as practicable or within 45 days after it is received.
- The Freedom of Information Act is available for purchase from State Law Publisher, 10 William Street, Perth (Telephone (08) 6552 6000)

General provisions relating to charges

For an applicant who is:-

(a) in financial hardship, in the opinion of the agency to whom the application is made; or
(b) the holder of a current valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the Rates and Charges (Rebate and Deferments) Act 1992,

the charge payable under regulation 5 is reduced by 25%

Lodgement of Applications

Applications may be lodged:-

By post to

FOI Co-ordinator
Legal and Legislative Services
Department of Housing
99 Plain Street
EAST PERTH 6004

Or in person at any office of the Department of Housing.

By facsimilie to:

FOI Co-ordinator
Information Management
Department of Housing
Facsimilie No: 9222 4585