

FREEDOM OF INFORMATION REVIEW AND APPEAL PROCESSES

1. Internal Review

If you are dissatisfied or aggrieved by certain decisions of the Shire of Broome regarding access to documents or amendment of personal information, you can apply to the Shire for an internal review of its decision.

The Shire CEO conducts all Internal Reviews. You will be advised of the decision within 15-days of the Shire receiving your request. Once reviewed, the CEO may confirm the initial decision, vary or overturn the initial decision and grant access to further documents not originally granted.

There are no costs associated with an internal review.

To apply for an internal review, you must write a letter or fill in an internal review application form. Send the letter to, or lodge the form **within 30 days** of receiving written notice of the Shire's initial decision.

Send your internal review request to:

FOI Co-ordinator
Shire of Broome
PO Box 44
BROOME WA 6725

You must give details of the decision you wish to have reviewed and give an address in Australia to which notices can be sent.

2. External Review by the Information Commissioner

If, after an internal review has been completed, you are still dissatisfied with the Shire's decision, you can make a complaint to the Information Commissioner.

The Information Commissioner may also allow a complaint to be made even though an internal review has not been sought or has not been completed if you can show that there are good reasons why you should not apply for an internal review or why an internal review should not be completed.

A complaint must be made by letter to the Information Commissioner. The letter must give details of the decision to which the complaint relates and give an address in Australia to which notices can be sent.

If you are seeking access to documents or amendment of personal information, your complaint must be lodged **within 60 days** of receiving written notice of the Shire's decision.

If you are a third party to an application for access to personal or commercial or business information concerning yourself, your complaint must be lodged **within 30 days** after being given written notice of the Shire's decision.

As a general rule, each party to a complaint pays his/her own costs. However, the Information Commissioner may order a person to pay the costs of another party to a complaint in certain circumstances.

A complaint made against the Shire's decision(s) must be accompanied by a copy of the decision in order to avoid delay in considering the complaint. This does not apply if the complaint is the result of the non-receipt of a decision.

The Information Commissioner's Office is located at:

Level 12
St Martins Tower
44 St Georges Terrace
PERTH WA 6000

Tel: 9220 7888
Fax: 9325 2152
Email: info@foi.wa.gov.au
Internet: www.foi.wa.gov.au

Postal Address

PO Box Z5386
St Georges Terrace
PERTH WA 6831

3. Appeals to the Supreme Court

Any party to a complaint may appeal to the Supreme Court on any question of law arising out of a decision of the Information Commissioner, except for a decision as the deferral of access to a document, the charges to be imposed for dealing with an access application and the payment of a deposit on account of charges.

The procedures relating to appeals to the Supreme Court are established by the Court. If you wish to take your complaint to the Supreme Court, you should consult with a legal practitioner.