

**REVIEW AND APPEALS  
PROCESS ON A DECISION  
MADE UNDER THE  
FREEDOM OF  
INFORMATION ACT 1992**

## DETAILS OF APPLICANT

**Surname:**

**Given Names:**

**Australian Postal Address:**

**Post code:** ..... **Telephone number/s:** .....

**Email address:** .....

**Applicant signature:** ..... **Date:** .....

**Shire FOI Reference Number:** .....

## INTERNAL REVIEW PROCESS

If you are dissatisfied or aggrieved by a decision of the Shire of Broome regarding access to documents, information or requests for amendment of personal information, you can apply to the Shire for an Internal Review of its decision. The request for an Internal Review can be made by emailing the Shire or by completing the form 'Request for Internal Review of Decision' available on the Shire Website.

An Internal review is conducted by someone other, and not subordinate to, the original decision maker, and is delegated to perform this review by the Shire of Broome CEO. You will be advised of the decision on the decision within 15 days of the Shire receiving your request.

The Internal review decision will be either one of the following outcomes:

- Original decision is confirmed
- The original decision is overturned and a new decision is advised
- The original decision is not completely overturned but there is a variation.

**Note: There are no costs associated with an Internal Review**

This Internal review request must be lodged with the Shire of Broome within 30 days of receipt of the Notice of Decision.

Please note that your request for an Internal review of the original decision should include, in writing, any further information that will support your application, and the reasons why you do not agree with the original decision.

## LODGEMENT OF REQUEST:

Request may be lodged by email to [shire@broome.wa.gov.au](mailto:shire@broome.wa.gov.au) OR

- by post to: FOI Coordinator, Shire of Broome, PO Box 44 Broome, WA 6725, OR
- delivered in person at the Shire Administration Centre 27 Weld Street, Broome.

## EXTERNAL REVIEW PROCESS

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

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 amendments 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 against the Shire's decision 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 a non-receipt of a decision.

### **The Information Commissioner can be contacted -**

#### **in writing at**

Albert Facey House  
469 Wellington Street  
Perth WA 6000

#### **By Phone on**

08 6551 7888

#### **By email at**

[info@foi.wa.gov.au](mailto:info@foi.wa.gov.au)

### **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 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.