

## REQUEST FOR DOCUMENTS

### 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.

The following information outlines how to make a request for documents with Hume City Council (Council).

#### **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;
3. you must pay the application fee (\$31.80 from 01 July 2023 to 30 June 2024), 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 more information on making a request for documents, visit Hume City Council's website at [Freedom of Information - Hume City Council](#)

#### **After you submit a request**

After you submit a request, it will be assessed by Council's Freedom of information Officer to ensure it meets the requirements outlined in section 17 of the FOI Act.

If the Authorised Officer determines your request is not valid, you will be notified within twenty-one (21) days from the date the application was received at Council. You will be provided with assistance to help you make the request valid.

If your request is valid, Council will commence processing the application.

#### **Timeframes**

Council has 30 days from the date you make a valid request to provide you with a decision.

However, this time may be extended by up to 15 days if necessary to allow for consultation with third parties whose information may be contained in the requested document(s). The timeline may also be extended by up to 30 days, with your agreement. Council will advise you of any timeframe changes.

## Application fee

Prescribed Fee from 01 July 2023 to 30 June 2024 is \$31.80

Further charges will be applicable for search time and photocopying.

## Lodging your application

Requests for access to documents under the Freedom of Information Act 1982 must be in writing and the prescribed application fee of \$31.80 should accompany your application.

☐ By post, addressed to:

Freedom of Information Officer  
Hume City Council  
PO Box 119 DALLAS Victoria 3047

☐ By email to the Freedom of Information Officer: [contactus@hume.vic.gov.au](mailto:contactus@hume.vic.gov.au)

☐ In person at Hume City Council, 1079 Pascoe Vale Road, Broadmeadows.

## Payments

- ☐ Cash – in person at Hume City Council office
- ☐ Cheque/Money Order made payable to Hume City Council
- ☐ Online – online payments require an invoice to be raised and an application number to be allocated.

If you wish to make an online payment, please email us at [contactus@hume.vic.gov.au](mailto:contactus@hume.vic.gov.au) and an invoice with your application number will be forwarded to you.

Alternatively, if paying the application fee would cause you hardship, you may request for the application fee to be waived 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.

## Hume City Council's Privacy Statement

The Privacy and Data Protection Act 2014 requires Council to protect individuals' personal and health information. We will not disclose your personal information to a third party without your consent unless we are required or authorised to do so by law or other regulation. In the event of an investigation into suspected unlawful or improper activity, a law enforcement agency or government agency may exercise its legal authority to inspect the Council's records.

Individuals can access personal information Council holds about them by making an application under the Freedom of Information Act. If the Freedom of Information Act is not applicable, Hume City Council will examine whether access can be given under IPP6, the access principle under the Privacy and Data Protection Act.

## How your personal information may be handled

By submitting this form, you are providing your personal information to Council. Your personal information will be used for the purpose of processing your request.

Council 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 or Minister who is better placed to handle your request. You will be advised if this occurs.

You should contact Council's Freedom of Information Officer during business hours on 9205 2200 to discuss if you have any concerns about how your personal information may be handled.

### 1. Your contact details:

Title:	
First Name(s):	
Surname:	
Organisation if applicable:	
Contact numbers:	
Email address:	
Postal address:	
Suburb and Postcode:	
Preferred contact method:	
Do you need an interpreter:	
If yes, what language?	

### Details of your representative (if applicable):

Title:	
First Name(s):	
Surname:	
Organisation if applicable:	

Contact numbers:	
Email address:	
Postal address:	
Suburb and Postcode:	
Preferred contact method:	
Do you need an interpreter:	
If yes, what language?	

### **Authorisation of your representative (*if applicable*):**

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

Applicant:		Representative:	
Name:		Name:	
Signature:		Signature:	
Date:		Date:	
Witness:		Witness:	
Name:		Name:	
Signature:		Signature:	

## **2. 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 the agency 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 business or work unit); 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 the agency to process, or it may not be specific enough for the agency to identify the document(s). If you are not sure how to frame your request, please contact Council.

### **3. Excluding documents or information you do not need**

It is helpful to exclude certain documents or information from your request if it is not particularly necessary or relevant.

This may allow faster processing of your request by potentially reducing the number of documents to assess or removing the requirement 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

#### **4. Proof of identification**

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

#### **5. 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 the agency to make edits.

If you do not agree to receive an edited copy, it may be decided the entire document is exempt and result in refusal of the document(s) access 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.

#### **6. Form of access**

Please advise how you would like to receive a copy of the document(s) that are decided to be released to you.

Wherever possible Council will attempt to accommodate your request but it may have to provide access in another way.

This might be inspecting the document(s), a hardcopy sent by post, a copy sent by email, the document(s) copied onto a CD or USB to be picked up or sent by post.