



epra

REVITALISING URBAN PLACES

FREEDOM OF INFORMATION (FOI)

12 Lindsay Street, Perth WA 6000
Locked Bag 8, Perth Business Centre WA 6849
Telephone: (08) 9222 8000
Facsimile: (08) 9281 6020

FOI: PROCEDURES AND ACCESS ARRANGEMENTS

FOI operations

It is the aim of the agency to make information available promptly and at the least possible cost, and whenever possible documents will be provided outside the FOI process.

If information is not routinely available, the *Freedom of Information Act 1992* provides the right to apply for documents held by the agency and to enable the public to ensure that personal information in documents is accurate, complete, up-to-date and not misleading.

Freedom of Information Applications

Access applications must:

- be in writing;
- give enough information so that the documents requested can be identified;
- give an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

Applications and enquiries should be addressed to:

Freedom of Information Coordinator
East Perth Redevelopment Authority
12 Lindsay Street, Perth WA 6000
(Locked Bag 8, Perth Business Centre WA 6849)

Telephone (08) 9222 8000, facsimile (08) 9281 6020

Applications will be acknowledged in writing and you will be notified of the decision within 45 days.

Freedom of Information Charges

A scale of fees and charges is set under the FOI Act Regulations. The charges are as follows:

- | | |
|---|--------------------|
| • <i>Personal information about the applicant</i> | <i>No fee</i> |
| • <i>Application fee (for non personal information)</i> | <i>\$30.00</i> |
| • <i>Charge for time dealing with the application (per hour, or pro rata)</i> | <i>\$30.00</i> |
| • <i>Access time supervised by staff (per hour, or pro rata)</i> | <i>\$30.00</i> |
| • <i>Photocopying staff time (per hour, or pro rata)</i> | <i>\$30.00</i> |
| • <i>Per photocopy</i> | <i>\$0.20</i> |
| • <i>Transcribing from tape, film or computer (per hour, or pro rata)</i> | <i>\$30.00</i> |
| • <i>Duplicating a tape, film or computer information</i> | <i>Actual cost</i> |
| • <i>Delivery, packaging and postage</i> | <i>Actual cost</i> |

Deposits

- *Advance deposit may be required of the estimated charges* 25%
- *Further advance deposit may be required to meet the charges for dealing with the application* 75%

For financially disadvantaged applicants or those issued with prescribed pensioner concession cards, the charge payable is reduced by 25%.

Access Arrangements

Access to documents can be granted by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded, shorthand or encoded document from which words can be reproduced.

Notice of Decision

Within 45 days you will be provided with a notice of decision which will include details such as:

- The date which the decision was made;
- The name and the designation of the officer who made the decision;
- If the document is an exempt document the reasons for classifying the matter exempt, or the fact that access is given to an edited document; and
- Information on the right to review and the procedures to be followed to exercise those rights.

Refusal of Access

Applicants who are dissatisfied with a decision of the agency are entitled to ask for an **internal review** by the agency. Applications should be made in writing within 30 days of receiving the notice of decision.

You will be notified of the outcome of the review within 15 days.

Should you disagree with the result you then can apply at the Office of the Information Commissioner for an **external review** and details would be advised to applicants when the internal review decision is issued.

**EPRA (EAST PERTH REDEVELOPMENT AUTHORITY)
APPLICATION FOR ACCESS TO DOCUMENTS**
(under *Freedom of Information Act 1992, S.12*)

DETAILS OF APPLICANT

Surname: Given Names.....

Australian Postal Address:
.....

Postcode: Telephone Number(s):

If application is on behalf of an organisation

Name of Organisation/Business:

DETAILS OF REQUEST *(Please tick)*

Personal documents Non Personal documents

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

FORM OF ACCESS *(Please tick appropriate box)*

I wish to inspect the document(s)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
I require a copy of the document(s)	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
I require access in another form	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

(please specify)

FEES AND CHARGES

Attached is a cheque/cash to the amount of \$..... to cover the application fee. I understand that before I obtain access to documents I may be required to pay processing charges in respect of 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 fees and charges in the attached notes. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria in the notes and support your application for a fee reduction.

I am requesting a reduction fees and charges *(Please tick)* Yes No

APPLICANT'S SIGNATURE **Date**/...../.....

(Office use only)

FOI Reference Number Received on/...../.....

Deadline for response/...../..... Acknowledgment sent on/...../.....

Proof of Identify (if applicable) Type Sighted

EPRA: FOI LEAFLET

This leaflet provides information on the application of the *Freedom of Information Act 1992* and assists applicants in making applications.

FOI APPLICATIONS

- Please provide sufficient information to enable the correct document(s) to be identified.
- The agency may request proof of your identity.
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 days) after it is received.
- The *Freedom of Information Act 1992* is available for purchase from the State Law Publisher, 10 William Street, Perth (Telephone (08) 9426 0000).

FORMS OF ACCESS

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded document or of words recorded in shorthand or encoded form, or a written document in the case of a document from which words can be reproduced in written form.

Where the agency is unable to grant access in the form requested, access may be given in a different form.

AUTHORISED OFFICERS

Officers of EPRA authorised to deal with FOI applications are:

- Chief Executive Officer
- Director Corporate
- Business Services Manager
- Information Services Manager
- Information Management Coordinator

No other officers are authorised to make decisions or release information.

ACCESS TO DOCUMENTS OUTSIDE FOI ACT

- * Documents that are available through other avenues, i.e. for purchase or free of charge from the State Law Publisher or the Office of the Information Commissioner.
- * available for inspection (eg. Manuals, Annual Reports, etc).
- * available for inspection at State Archives do not require FOI Applications.

PERSONAL INFORMATION

Personal information may not be amended or deleted without the approval of the Information Commissioner. If unsure about this aspect, please contact the FOI Coordinator.

FEES AND CHARGES

(as per Regulations 4, 5 and 6 of Freedom of Information Act 1992)

NOTES

For an applicant who is -

- (a) impecunious, in the opinion of the agency, or
- (b) the holder of a currently 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 (Rebates and Deferments) Act 1992*, the charge payable under Regulation 5 is reduced by 25%.

1. **Type of Fee** (Regulation 4) (Section 12 (1)(e) FOI Act)

Personal information about the applicant	No fee
Application fee for non personal information under section 12(1)(e) of the Act	\$30

2. **Type of Charge** (Regulation 5)

(a) Charge for time taken by staff dealing with the application (per hour, or <i>pro rata</i> for a part of an hour)	\$30
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(b) Charge for access time supervised by staff (per hour, or <i>pro rata</i> for a part of an hour)	\$30
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plus the actual additional cost to the agency of any special arrangements (eg. Hire of facilities or equipment).

(c) Charges for photocopying -

(i) per hour, or <i>pro rata</i> for a part of an hour of staff time:	\$30
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(ii) per copy	20 cents
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(d) Charge for time taken by staff transcribing information from a tape or other device (per hour, or <i>pro rata</i> for part of an hour)	\$30
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(e) Charge for duplicating a tape, film or computer information	Actual Cost
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(f) Charge for delivery, packaging and postage	Actual Cost
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3. **Advance Deposits** (Regulation 6)

(a) Advance deposit which may be required by an agency 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%
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Further advance deposit which may be required by an agency under section of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee **75%**

LODGEMENT OF APPLICATIONS

Applications may be lodged -

- **By post, addressed to**

Freedom of Information Coordinator
East Perth Redevelopment Authority
Locked Bag 8
Perth Business Centre WA 6849

- **In person at**

12 Lindsay Street
Perth WA 6000

REVIEW AND APPEAL PROCESS

1. Internal Review (Section 39-40 and 54)

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

To apply for an internal review, you must write a letter or fill in an internal review application form and send the letter to, or lodge the form with, the agency which made the decision within 30 days after being given notice of the decision.

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

There is no right to an internal review of a decision made by a Minister or the principal officer of an agency.

There is no charge for an internal review of a decision.

2. External Review by the Information Commissioner (Section 65-66)

If, after an internal review has been completed, you are still dissatisfied with the agency's decision, you can make a complaint to the Information Commissioner. The Information Commissioner may 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 internal review or why an internal review should not be completed.



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REVITALISING URBAN PLACES

FREEDOM OF INFORMATION (FOI)

A complaint must be made by letter to the Information Commission. 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.

The Office of the Information Commissioner is located on Level 12, St Martins Tower 44 St Georges Terrace, Perth, 6000 (telephone (08) 9220 7888).

If you are seeking access to documents or amendment of personal information, your complaint must be lodged within 60 days after being given written notice of the 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 decision.

As a general rule, each 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 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.

3. Appeals to the Supreme Court (Section 85)

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 to 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. Information on these procedures can be obtained from the Ministry of Justice.

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