



Freedom of Information Statement

1.0 Introduction

This Information Statement is published by the Shire of Wiluna in accordance with the requirements of Section 96(1) of the Freedom of Information Act 1992.

1.1 FREEDOM OF INFORMATION ACT 1992

The Freedom of Information Act grants you a legally enforceable right to access records (which are not otherwise exempt) held by both State and Local Government agencies. You do not need to demonstrate any connection to or reason for seeking access to these records.

It gives you the right to apply for your personal information and amend where you believe them to be inaccurate, incomplete, out of date or misleading.

It requires that the Shire of Wiluna allow access to documents concerning government operations and that they be made available to the public.

The Act also makes it possible for you to apply for any recorded of information held by the Shire of Wiluna.

1.2 FOI APPLICATION

To be a valid application, the FOI Act requires that an application must:

-) be in writing;
-) give enough information to identify the documents;
-) give an Australian address for correspondence;
-) be accompanied by the application fee;
-) be lodged at the office of the agency;
-) give any other information required under regulations

A form is available to assist you in submitting an appropriate application; otherwise a written application would be sufficient.

The Shire of Wiluna may request proof of your identity, e.g. current drivers licence.

If you are seeking access to a document(s) on behalf of another person, an authorisation in writing will be required.

Your application will be dealt with as soon as practicable (within 45 days) after it is received.

1.3 FREEDOM OF INFORMATION FEES AND CHARGES

No fee or charge is applicable for application for personal information or amendment of personal information.

The scale of fees and charges applicable under the FOI Act for other documents (non-personal) are as follows:

Fees (GST Exempt)

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| a. Application fee (for applications for non-personal information) | \$30 |
| b. Application fee for personal information | No Fee |

Charges (GST applicable)

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| a. Staff time dealing with the application, supervised access, photocopying, Transcribing information from tape etc (per hour or pro rata for part of an hour) | \$30 |
| b. Photocopies (per copy) | 20 cents |
| c. Duplicating a tape, film or computer information | Actual Cost |
| d. Delivery, packaging and postage | Actual Cost |

Advance Deposits

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| a. Percentage of estimated charges payable | 25% |
| b. Further advance deposit as percentage of estimated charge may be required (for large applications) | 75% |

No fees or charges for internal or external review.

1.4 WHAT HAPPENS ONCE YOUR APPLICATION HAS BEEN PROCESSED

Once all information/records have been assessed, you will be provided with "Final Notice of Decision". This notice will detail the process undertaken with your application, the documents identified as falling within the scope of your application, what if any information is to be withheld (due to exemptions) and the options you have available should you be dissatisfied with the decision. Copies of the released documents may also be included with the decision or will be provided shortly thereafter.

1.5 INTERNAL REVIEW

The Freedom of Information Act provides for a review and appeal process. You may seek an Internal Review or if you are still not satisfied a review by the Information Commissioner and still further you can appeal to the Supreme Court.

If you are dissatisfied by a decision concerning your application then you can apply to the Shire for an Internal Review of this decision. To apply for an Internal Review:

-) You must make application in writing, or fill in an internal review application form and lodge it with the Shire within thirty (30) days of being given notice of the decision.
-) The lodgement must give details of the decision you wish to have reviewed and given address in Australia to which notices can be sent.
-) The Shire will then conduct a review within 15 calendar days once the review application is received.

If you are still dissatisfied after the Internal Review has been completed, you may seek an external review by the Information Commissioner. This request must be made in writing to the Information Commissioner giving details of the decision to which your complaint relates.

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.

1.6 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, or a written document in case of a document where words can be reproduced in written form.

Further information can be obtained from the Shire of Wiluna reception. The contact number is (08) 9981 8000.

The Freedom of Information Act 1992 is available for purchase from the State Law Publisher, 10 William Street, Perth (Telephone: (08) 6552 6000)