



**Australian Government**  
**Department of Education**

Your Ref  
Our Ref LEX 1274

CR

By email: [foi+request-12293-fba1a86c@righttoknow.org.au](mailto:foi+request-12293-fba1a86c@righttoknow.org.au)

Dear CR

**Your Freedom of Information request - decision**

I refer to your request, received by the Department of Education (department) on 7 November 2024 and revised on 13, 14 and 15 November 2024, for access under the *Freedom of Information Act 1982* (FOI Act) to the following documents:

*"1. [Part 1' of your request] All notices of a charge issued to FOI applicants between 1 July 2022 and 5 November 2024.*

*For the purposes of my request, a "notice of a charge" refers to a "written notice outlining the preliminary assessment of the charge", as defined by FOI Guidelines [4.9]. Other terms synonymous with this definition include "charge notice" and "charge letter."*

*Specifically, I request the following items from charge notices:*

*1.i - That the applicant is liable to pay a charge, the preliminary assessment of the charge and the basis for the calculation (FOI Guidelines [4.54a-b]), 1.ii - (if applicable) Any written explanation or justification as to whether the cost of calculating and collecting the charge might exceed the cost to the agency or the Commonwealth (FOI Guidelines [4.114(1)] and [4.4]), and 1.iii - The FOI reference number and date of the letter.*

*To assist with processing, you may omit the rest of the charge notice. I expect details such as applicant information, the scope of their request, and employee names, signatures, and details to be excluded (s 22).*

*If multiple charge notices were issued for a single request (e.g., following further review or scope reduction), all charge notices are in scope. Final charge notices*

*(issued after a decision is provided (FOI Guidelines [4.78])) that differ from the previous charge are also in scope.*

*If your agency administers FOI requests on behalf of another entity (e.g., a minister or departmental sub-branch), such requests are included.*

2. [‘Part 2’ of your request] *All notices of a charge decision issued to FOI applicants between 1 July 2022 and 5 November 2024.*

*For the purposes of my request, a “notice of a charge decision” refers to a “written notice of decision to the applicant as to whether the charge will be imposed, reduced or waived” as defined by FOI Guidelines [4.14]. Other terms that can be used synonymously include “charge decision notice” and “charge decision letter.”*

*Specifically, I request the following items from charge decision letters:*

*2.i - The decision to impose, reduce or waive a charge, as well as the charge amount, 2.ii - (if applicable) Any written explanation or justification as to whether the cost of calculating and collecting the charge might exceed the cost to the agency or the Commonwealth (FOI Guidelines [4.114(1)] and [4.4]), and 2.iii - The FOI reference number and date of the letter.*

*To assist with processing, you may omit the rest of the charge decision notice. I expect details such as applicant information, the scope of their request, contention reasons, decision-maker explanation of reasons (except part 2.ii), employee names, signatures, and details, or any information derived from the above (such as details about third parties or supporting evidence of a financial hardship contention) are to be excluded (s 22).*

*Some agencies, when deciding to waive a charge following an applicant’s contention, may simply state that they have “decided not to impose charges for this request”. Other agencies, in similar circumstances, provide a formal decision notice, including a statement of reasons and review rights. For the purposes of my request, both informal and formal decision notices are within scope.*

*Additionally, if multiple charge decision letters have been issued for a single request (e.g., following further review or scope changes), all such letters are included in the scope of this request. Charge decisions made under section 55G of the FOI Act are also included.*

3. [‘Part 3’ of your request] *Any internal review decision letters regarding a charge notice or charge decision between 1 July 2022 and 5 November 2024*

*Specifically, I request the following items from internal review decision letters:*

*3.i - The decision to impose, reduce or waive a charge, as well as the charge amount, 3.ii - (if applicable) Any written explanation or justification as to whether the cost of calculating and collecting the charge might exceed the cost to the agency or the Commonwealth (FOI Guidelines [4.114(1)] and [4.4]), and 3.iii - The FOI reference number and date of the letter.*

*To assist with processing, you may omit the rest of the internal review decision letter, including any background information unrelated to the charge decision. I expect details such as applicant information, the scope of their request, review reasons, decision-maker explanation of reasons (except part 3.ii), employee names,*

*signatures and details, or any information derived from the above, are to be excluded (s 22).*

... [Part 4 withdrawn] ...

5. ['Part 5' of your request] *All confirmations of payment and refunds between 1 July 2022 and 5 November 2024.*

*Any document confirming receipt of payment or refund of payment is included in the scope of my request.*

*To assist with processing, you may omit the rest of the document. Details of the applicant and their payment details are to be excluded (s 22).*

*If you are willing, I would prefer this information to be provided administratively, such as in an appendix to the statement of reasons or as a note in a schedule of documents. I would like the following information: whether any payment was made, the amount paid, whether any amount was refunded, and the amount refunded for each request. Please let me know if you are willing to pursue this administratively, and I will confirm withdrawing this part (5) of my request.*

6. ['Part 6' of your request] *A document that identifies whether any FOI requests, where a charge notice was issued between 1 July 2022 and 5 November 2024, were either withdrawn or deemed withdrawn.*

*To clarify, I am seeking information on whether a request was withdrawn or deemed withdrawn after a charge notice was issued. This may be demonstrated through:*

- Correspondence from your agency confirming the withdrawal or deemed withdrawal of a request, or*
- The applicant's email confirming their withdrawal of the request.*

*If no confirmation has been provided by your agency or the applicant, and the request was deemed withdrawn due to non-response to the charge notice, I request that a document be created under section 17 of the FOI Act, which shows that the request was deemed withdrawn. This information is likely to exist in your FOI database or case management systems in electronic form.*

*To assist with processing, you may omit the rest of the document beyond what is necessary to show whether the request was withdrawn or deemed withdrawn after a charge notice was issued.*

*In addition to the document-specific exclusions listed above, please exclude the following:*

- i) Any details about FOI applicants, including, but not limited to personal information and supporting evidence of personal circumstances in a financial hardship contention.*
- ii) Any details about a third party, business, or organisation, including but not limited to their personal information, business information, and commercial affairs.*
- iii) Any information that may require third-party consultation under the FOI Act.*
- iv) Any details about any individual, including but not limited to APS staff and signatures.*
- v) Emails that merely attach charges notices or decision letters.*

*In many cases, agencies send charge notices and charge decision notices as formal documents (such as PDFs or Word files) attached to an email. The emails themselves typically contain little more than a message like "see attached," and these are not relevant to my request and may be excluded.*



However, if a charge notice or charge decision is provided directly in the body of an email (without a formal attachment), the email itself would be in scope. In such cases, the content of the email, as it serves the function of the notice, should be included in my request.

vi) Duplicate documents.

vii) Background information unrelated to charges.

#### Request for Administrative Arrangements

In lieu of providing all documents requested in parts 1-3 and part 5, I propose an administrative arrangement. I request a table summarising charge estimates, decisions, internal review decisions#, and payment information between 1 July 2022 and 5 November 2024. The table should contain the following columns: FOI Reference | Charge Notice Date | Notice Estimate (\$) | Charge Decision Date | Charge Decision\* | Internal Review Decision Date | Internal Review Decision\* | Request Status^ | Notes&

# Internal Review decisions that are unrelated to a charge are irrelevant and must not be included.

\* Charge Decision & Internal Review Decision - These should be categorised as:

- (1) Waive
- (2) Reduce – \$(new charge total)
- (3) Affirm
- (4) Deemed Affirm
- (5) Cannot Impose (e.g., when a decision on the request is not made in time)
- (6) Other (for complex cases, with notes).

^ Request Status - Enter as follows:

- (1) Ongoing (still processing or within the 60-day IC Review timeframe)
- (2) Finalised (request is no longer being processed and is outside the 60-day IC Review timeframe)
- (3) External Review (provide OAIC/AATA/FCA/FCAFC reference number)
- (4) Withdrawn
- (5) Deemed Withdrawn
- (6) Other (for complex cases, with notes).

& Notes - Include whether any payment was made, the amount paid, whether any amount was refunded, and the amount refunded. Additionally, if you would like to add any submissions regarding a request you are free to add it here.

If multiple charge notices were issued for a single request (e.g., due to scope reduction), each notice should be a new entry in the table. Please include the reason for additional notices in the Notes section. A 'final charge' notice (the actual cost of processing) that differs from the previous charge should also be included as a new entry, with an "actual cost" note.

If you agree to this administrative arrangement, I will confirm withdrawing parts 1-3 (except parts 1.ii, 2.ii, 3.ii) and part 5 of my request. The remaining parts of my FOI request would be:

(Parts 1.ii, 2.ii, 3.ii): Any written explanation or justification as to whether the cost of calculating and collecting the charge might exceed the cost to the agency or the Commonwealth (FOI Guidelines [4.114(1)] and [4.4]), and (Part 4): Any external review decisions regarding a charge notice or charge decision."

On 13 November 2024, the department contacted you seeking clarification of your request. In this correspondence, the department noted the overlap of your FOI request dated 7 November 2024 and your previous FOI request dated 1 October 2024. In response to your request dated 1 October 2024, the department provided you with the 30 most recent charge notices and corresponding charge decisions issued by the department, which were issued during the period from 11 October 2023 to 1 October 2024. You were advised that the department had interpreted the scope of your new FOI request to exclude any documents that you have already been provided. On the same day, you confirmed that this interpretation was correct.

On 14 November 2024, you confirmed that Part 5 of your request is to be interpreted as follows:

*"- receipts confirming payments of charges or charge deposits, in relation to FOI related charge notices or charge decisions issued between 1 July 2022 and 5 November 2024 (excluding duplicates and emails enclosing or relating to those receipts), and*

*- any email confirming the refund of a charge or charge deposit payment that includes the amount of the refund in relation to FOI related charge notices or charge decisions issued between 1 July 2022 and 5 November 2024 (noting that it is not necessary to provide all such emails in relation to a particular refund)."*

On 15 November 2024, you advised that you wished to withdraw Part 4 of your request.

#### **Production of a document in response to Part 6 of your request**

Section 17 of the FOI Act relevantly provides:

**(1) Where:**

*(a) a request (including a request in relation to which a practical refusal reason exists) is made in accordance with the requirements of subsection 15(2) to an agency;*

*(b) it appears from the request that the desire of the applicant is for information that is not available in discrete form in written documents of the agency; and [...]*

*(c) the agency could produce a written document containing the information in discrete form by:*

*(i) the use of a computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information;*

*[...]*

*the agency shall deal with the request as if it were a request for access to a written document so produced and containing that information and, for that purpose, this Act applies as if the agency had such a document in its possession.*



*(2) An agency is not required to comply with subsection (1) if compliance would substantially and unreasonably divert the resources of the agency from its other operations.*

Section 17 of the FOI Act can apply in circumstances where the information requested is able to be produced in discrete written form by 'the use of a computer or other equipment ordinarily available to the agency or retrieving or collating stored information' (section 17(1)(c)(i) above).

As per our correspondence on 27 November 2024, the department is likely to hold a range of documents falling within the scope of Part 6 of your request. The department advised you that it intended to produce a document under section 17 of the FOI Act in response to this part of your request, unless you told us otherwise by COB 28 November 2024. On 27 November 2024, you confirmed that you agree with this proposed approach.

### **My decision**

I am authorised to make decisions under section 23(1) of the FOI Act.

The department holds 89 documents (totalling 351 pages) that fall within the scope of your request. This includes **one** document (totalling one page) that was produced by the department in accordance with section 17 of the FOI Act to provide the requested information in response to Part 6 of your request.

I have decided to grant you **access in full** to the documents.

I note that in your request of 7 November 2024 and revised on 13, 14 and 15 November 2024, you agreed to exclude a range of information including applicant details, scopes of requests, departmental employee details, decision reasons and covering emails from the scope of your request. As such, in accordance with section 22 of the FOI Act, I have deleted irrelevant material from the pages identified in the Schedule of Documents and have decided to release the remaining material to you.

I also note that some of the documents may contain information that is in addition to the information you have requested. This additional information has been retained for efficiency reasons in processing your request and it may also provide context for the requested information to ensure it is capable of being understood within the documents.

A schedule of the documents for release is at **Attachment A**.

### **Processing charge**

In accordance with the FOI Act, the department can impose a processing charge for FOI requests. Paragraph 4.3 of the FOI Guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act provides that an agency has a discretion to impose or not impose a charge, or to impose a lower charge. While I consider there are grounds for a processing charge to be imposed for the processing of your FOI request, on this occasion, I have decided to exercise my discretion to not impose a charge.

### **How we will send your documents**

Documents 1 – 89 are attached.

### **You can ask for a review of my decision**

If you disagree with any part of the decision, you can ask for a review. There are two ways you can do this. You can ask for an internal review by the department or an external review by the Australian Information Commissioner.

You can find information about your rights of review under the FOI Act, as well as information about how to make a complaint at **Attachment B**.

### **Further assistance**

If you have any questions, please email [foi@education.gov.au](mailto:foi@education.gov.au).

Yours sincerely

A handwritten signature in blue ink that reads "Emily".

Emily  
Authorised decision maker  
Freedom of Information Team

6 December 2024

### SCHEDULE OF DOCUMENTS – CR (Right to Know) – LEX 1274

Number	Pages	Date	Description	Decision	Comments
<b>Part 1 – Charge Notices</b>					
1.	1 – 5	11 July 2022	LEX 272 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
2.	6 – 11	22 July 2022	LEX 339 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
3.	12 – 16	13 September 2022	LEX 422 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
4.	17 – 21	13 September 2022	LEX 423 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
5.	22 – 26	27 September 2022	LEX 427 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
6.	27 – 31	11 October 2022	LEX 429 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
7.	32 – 36	27 September 2022	LEX 433 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
8.	37 – 41	13 October 2022	LEX 454 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
9.	42 – 46	28 October 2022	LEX 464 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
10.	47 – 51	3 November 2022	LEX 470 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
11.	52 – 56	30 November 2022	LEX 483 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
12.	57 – 61	21 December 2022	LEX 507 – Charge notice	Grant access in full	Irrelevant material deleted under section 22



13.	62 – 66	23 December 2022	LEX 510 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
14.	67 – 71	6 January 2023	LEX 519 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
15.	72 – 76	17 January 2023	LEX 532 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
16.	77 – 81	24 January 2023	LEX 539 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
17.	82 – 86	30 January 2023	LEX 541 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
18.	87 – 91	3 March 2023	LEX 570 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
19.	92 – 96	2 March 2023	LEX 571 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
20.	97 – 101	14 March 2023	LEX 587 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
21.	102 – 106	28 April 2023	LEX 614 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
22.	107 – 111	4 May 2023	LEX 631 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
23.	112 – 116	24 April 2023	LEX 632 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
24.	117 – 122	1 May 2023	LEX 638 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
25.	123 – 128	4 July 2023	LEX 638 – Second charge notice	Grant access in full	Irrelevant material deleted under section 22
26.	129 – 134	10 July 2023	LEX 638 – Third charge notice	Grant access in full	Irrelevant material deleted under section 22
27.	135 – 139	5 May 2023	LEX 642 – Charge notice	Grant access in full	Irrelevant material deleted under section 22

28.	140 – 145	18 May 2023	LEX 647 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
29.	146 – 150	22 May 2023	LEX 657 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
30.	151 – 155	13 July 2023	LEX 712 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
31.	156 – 160	7 September 2023	LEX 757 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
32.	161 – 166	14 September 2023	LEX 782 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
33.	167 – 171	4 October 2023	LEX 784 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
34.	172 – 176	6 October 2023	LEX 788 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
35.	177 – 181	6 October 2023	LEX 794 – Charge notice	Grant access in full	Irrelevant material deleted under section 22
<b>Part 2 – Charge Decisions</b>					
36.	182 – 192	13 October 2022	LEX 423 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
37.	193 – 202	23 December 2022	LEX 483 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
38.	203 – 211	20 January 2023	LEX 507 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
39.	212 – 218	24 January 2023	LEX 510 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
40.	219 – 226	30 March 2023	LEX 570 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22



41.	227 – 234	30 March 2023	LEX 571 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
42.	235 – 237	31 May 2023	LEX 614 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
43.	238 – 252	27 June 2023	LEX 638 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
44.	253 – 258	9 June 2023	LEX 642 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
45.	259 – 268	27 June 2023	LEX 647 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
46.	269 – 281	11 October 2024	LEX 757 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
47.	282 – 289	9 November 2024	LEX 816 (also LEX 816) – Revised decision on charge for LEX 757	Grant access in full	Irrelevant material deleted under section 22 Note: the request for review by the Information Commissioner was subsequently withdrawn by the applicant.
48.	290 - 304	17 October 2023	LEX 782 – Decision on charge	Grant access in full	Irrelevant material deleted under section 22
<b>Part 3 – Internal Review Decisions on Charges</b>					
49.	305 – 306	16 February 2023	LEX 483 – Internal review decision	Grant access in full	Irrelevant material deleted under section 22
<b>Part 4 – N/A (withdrawn)</b>					
<b>Part 5 – Confirmations of Payment and Refund</b>					
50.	307	21 October 2022	LEX 423 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
51.	308	29 September 2022	LEX 427 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22



52.	309	4 November 2022	LEX 464 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
53.	310	5 January 2023	LEX 464 – Receipt for balance of charge	Grant access in full	Irrelevant material deleted under section 22
54.	311	23 November 2022	LEX 470 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
55.	312	5 January 2023	LEX 470 – Receipt for balance of charge	Grant access in full	Irrelevant material deleted under section 22
56.	313	30 January 2023	LEX 507 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
57.	314	14 February 2023	LEX 510 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
58.	315	17 January 2023	LEX 519 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
59.	316 – 317	9 June 2023	LEX 519 – Refund of charge paid in full – confirmation and amount	Grant access in full	Irrelevant material deleted under section 22
60.	318	14 February 2023	LEX 541 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
61.	319	24 March 2023	LEX 587 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
62.	320	3 May 2023	LEX 587 – Receipt for balance of charge	Grant access in full	Irrelevant material deleted under section 22
63.	321	8 August 2023	LEX 638 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
64.	322	16 May 2023	LEX 642 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
65.	323 – 326	9 June 2023	LEX 642 – Refund of deposit – confirmation and amount	Grant access in full	Irrelevant material deleted under section 22

66.	327	6 June 2023	LEX 647 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
67.	328	27 June 2023	LEX 647 – Refund of deposit – amount	Grant access in full	Irrelevant material deleted under section 22
68.	329	13 September 2023	LEX 647 – Refund of deposit – confirmation	Grant access in full	Irrelevant material deleted under section 22
69.	330	20 July 2023	LEX 712 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
70.	331	13 November 2023	LEX 770 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
71.	332	13 November 2023	LEX 773 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
72.	333	12 October 2023	LEX 784 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
73.	334	18 October 2023	LEX 794 – Receipt for deposit	Grant access in full	Irrelevant material deleted under section 22
74.	335	12 February 2024	LEX 794 – Receipt for balance	Grant access in full	Irrelevant material deleted under section 22
75.	336	4 January 2024	LEX 839 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
76.	337	20 December 2023	LEX 842 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
77.	338	12 February 2024	LEX 871 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
78.	339	15 March 2024	LEX 885 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
79.	340	13 March 2024	LEX 915 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
80.	341	8 April 2024	LEX 948 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22



81.	342	31 May 2024	LEX 1000 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
82.	343 – 344	21 June 2024	LEX 1000 – Refund of charge paid in full – confirmation and amount	Grant access in full	Irrelevant material deleted under section 22
83.	345	11 June 2024	LEX 1022 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
84.	346	28 June 2024	LEX 1040 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
85.	347	11 July 2024	LEX 1042 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
86.	348	23 August 2024	LEX 1047 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
87.	349	31 July 2024	LEX 1089 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
88.	350	11 September 2024	LEX 1136 – Receipt for payment in full	Grant access in full	Irrelevant material deleted under section 22
<b>Part 6 – Withdrawn FOI requests</b>					
89.	351	N/A	Document setting out FOI requests for which charge notices were issued between 1 July 2022 and 5 November 2024 that were withdrawn by the applicant or taken to have been withdrawn through operation of section 29(2) of the <i>Freedom of Information Act 1982</i>	Grant access in full	N/A



## YOUR RIGHTS OF REVIEW

### Asking for a formal review of an FOI decision

If you believe the decision is incorrect, the FOI Act gives you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by:

- an internal review officer in the department and/or
- the Australian Information Commissioner.

There are no fees for applying for a formal review.

### Applying for an internal review by an internal review officer

If you apply for internal review, a different decision maker to the decision maker who made the original decision will review your request. The internal review decision maker will consider all aspects of the original decision afresh and decide whether the decision should change.

An application for internal review must be made in writing within 30 days of receiving this letter. You can lodge your application by email to [foi@education.gov.au](mailto:foi@education.gov.au).

### Applying for external review by the Australian Information Commissioner

If you do not agree with the original decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision.

You will have 60 days to apply in writing for a review by the Australian Information Commissioner.

You can lodge your application in one of the following ways:

Online:

<https://webform.oaic.gov.au/prod?entitytype=ICReview&layoutcode=ICReviewWF>

Email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

Post: Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001

## **Complaints to the Australian Information Commissioner**

### *Australian Information Commissioner*

You may complain to the Australian Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Australian Information Commissioner must be made in writing and can be lodged in one of the following ways:

Online:

<https://webform.oaic.gov.au/prod?entitytype=Complaint&layoutcode=FOIComplaintWF>

Email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

Post: Australian Information Commissioner  
GPO Box 5218  
SYDNEY NSW 2001