



## *Shire of Brookton*

### **FREEDOM OF INFORMATION PROCEDURES AND ACCESS ARRANGEMENTS**

#### **Rights to Access Documents**

The *Western Australian Freedom of Information Act 1992* (FOI Act 1992) gives applicants the right to apply for access to documents held by the Shire of Brookton. An applicant's right to seek access cannot be affected by their reason for wishing to obtain access, and there is no need to demonstrate a reason.

The Shire is required:

- To assist in making an application
- To assist in obtaining access to documents at a reasonable cost and,
- To ensure that personal information captured in documents is accurate, complete, up-to-date and not misleading.

While the Act provides general right of access to documents, it also recognizes some documents require a level of protection, specifically those documents that meet the exemption criteria in Schedule 1 of the FOI Act 1992, which includes (but is not limited to):

- Personal information that identifies a third party
- Information concerning trade secrets
- Information of commercial value

#### **Lodging Applications**

FOI Application are available:

- From the Shire front counter (Administration Centre, 14 White Street Brookton).
- From the FOI Coordinator (Telephone 9642 1106)

FOI 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 with the Shire with any applicable fee payable.

FOI Applications can be lodged by

Mail: Freedom of Information Co-Ordinator  
Shire of Brookton  
14 White Street  
BROOKTON WA 6306

Ph: 9642 1106

Fax: 9642 1173

Email: [mail@brookton.wa.gov.au](mailto:mail@brookton.wa.gov.au)

### **Time Limits**

Once the Shire has received a valid application, it is required to provide a Notice of Decision within 45 calendar days. The City aims to respond as soon as practicable to any application and will negotiate with the applicant on an extension to the 45 day limit should the application be unusually large or require consultation with a significant number of third parties.

Should the applicant not be satisfied with the decision provided in the Notice of Decision, they have 30 days in which to lodge an Internal Review application; once the Internal Review application has been received the Shire has 15days in which to respond.

Should the applicant still not be satisfied with the outcome of the Internal Review, there is a 60 day period in which to lodge an External Review application with the Freedom of Information Commissioner. The Commissioner will then undertake there view and forward a response within 30 days.

### **Charges**

Listed below is a scale of fees and charges set under the FOI Regulations. Apart from the application fee for non-personal information, all charges are discretionary and are set by the Council. The charges are as follows:

#### **Regulatory Charges**

Application fee for personal information (about the applicant)	<b>No Fee</b>
Application fee for non-personal information	<b>\$30.00</b>

### **Council Charges**

Processing the application (per hour, pro rata)	<b>\$30.00</b>
Access time supervised by staff (per hour, pro rata)	<b>\$30.00</b>
Photocopying staff time (per hour, pro rata)	<b>\$30.00</b>
Per Photocopy (per page)	<b>\$00.20</b>
Transcribing from tape, film or computer information	<b>\$30.00</b>
Duplication a tape, film or computer information	<b>Actual Cost</b>
Delivery, packaging and postage	<b>Actual Cost</b>

### **Advance Deposits**

Advance deposit which may be required by an agency under section 18 (1) of the **25%** Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee

Further advance deposit which may be required by an agency under section 18 **75%** (4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee.

### **Concessions**

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

**No reduction is applicable to the application fee**