

Freedom of Information Review of decisions

Fact sheet

If you are not satisfied with the department's decision under the *Freedom of Information Act 1982*, you have the right to seek a review of this decision by the Freedom of Information Commissioner (the Commissioner).

Decisions which can be reviewed

The Commissioner can review the following decisions:

- refusal to grant access to documents or parts of documents
- deferral of access to documents
- the amendment of personal records
- refusal to waive an application fee.

Please note that the Commissioner is unable to review exemptions under sections 28 (Cabinet documents) and 29A (documents affecting national security, defence or international relations). Requests for reviews of decisions made under these sections should be directed to the Victorian Civil and Administrative Tribunal (VCAT).

Time frames for reviews

An application for review must be made within 28 days of you receiving the decision. The only exception to this is where the agency has denied access under section 36 of the Health Records Act 2001. Requests for reviews of these decisions must be made within 70 days.

How to request a review

Requests for review must be made in writing and addressed to:

Freedom of Information Commissioner
Office of the Freedom of Information Commissioner
PO Box 24274
Melbourne Victoria 3001
Phone: 1300 842 364
enquiries@foicommisioner.vic.gov.au

Review application forms are available on the Commissioner's website: www.foicommisioner.vic.gov.au

If you are not satisfied with the Commissioner's decision

If you are not satisfied with the outcome of the Commissioner's review, you may appeal to VCAT for review.

To receive this publication in an accessible format phone (03) 9096 8449, using the National Relay Service 13 36 77 if required, or email foi@dhhs.vic.gov.au

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