

Freedom of Information

Third party notification – rights of appeal

Fact sheet

Notification of intention to release documents containing business, commercial or financial information

The Department of Health & Human Services (the department) has received a freedom of information request for information including business, commercial or financial information of a third party undertaking, has sought the views of the undertaking on disclosure of the information and has decided to release the information contrary to those views, pursuant to the *Freedom of Information Act 1982*.

Undertaking's views regarding the release of business, commercial or financial information

The department sought the views of an appropriate representative of the undertaking on whether disclosure of the information would unreasonably expose the undertaking to a disadvantage. Your views were sought in writing with examples of the disadvantage that will be suffered and the reasons why the disadvantage is unreasonable.

Department's decision

The department has considered the information and the views of the undertaking and decided it is not unreasonable to release the information. The department MUST notify you of its decision and the undertaking's rights to appeal against its decision.

Appeal rights

The undertaking is entitled to appeal against the department's decision to release documents containing business, commercial or financial information. The undertaking has 60 days from the date you receive notification of the decision to make an application to the Victorian Civil and Administrative Tribunal (VCAT) to review the department's decision.

How to contact VCAT

The main office of VCAT is located at:

55 King Street
Melbourne Victoria 3000
Phone: (03) 9628 9755
Fax: (03) 9628 9788
Email: vcat@vcat.vic.gov.au

Application forms and information about reviews are also available on the VCAT website: www.vcat.vic.gov.au

Complaints to the Freedom of Information Commissioner

You also have the right to complain to the Freedom of Information Commissioner (the Commissioner) about the department's decision to release documents containing business, commercial or financial information. The Commissioner can investigate the complaint and make recommendations to the department.

A complaint must be made in writing, within 60 days of the department notifying you of its decision to release the information.

Complaints should be directed to:

Freedom of Information Commissioner
Office of the Freedom of Information Commissioner
PO Box 24274
Melbourne Victoria 3001
enquiries@foicommissioner.vic.gov.au

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

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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