PRINCIPAL OFFICE:
8 Elizabeth Street, Maitland
ALL CORRESPONDENCE TO:
PO Box 57, MAITLAND, SA 5573
Telephone (08) 8832 0000
Email: admin@yorke.sa.gov.au
Website: www.yorke.sa.gov.au

| APPLICATION FOR INTERNAL REVIEW OF FREEDOM OF INFORMATION DETERMINATION | SF011B |
|---|---|
| | Responsible Officer: FOI Accredited Officer |
| | Issue Date: 01/07/2026 |
| | Next Review Date: July 2027 |

***South Australian Freedom of Information Act 1991***

Please read the information below prior completing the attached application form

## INTERNAL REVIEW

If you are unhappy with a determination made by an 'agency' which includes a South Australian (SA) State Government Agency, Local Government Council or South Australian University under the Freedom of Information Act 1991 (FOI Act) in relation to:

- a freedom of information (FOI) application for access to a document, or
- an FOI application for amendment to your personal records

in most cases, you are entitled to apply for an Internal Review of that determination.

## REQUEST FOR AN INTERNAL REVIEW

An Internal Review must be lodged within 30 calendar days of you receiving advice of a determination that you are unhappy with. Applications must be made in writing in accordance with Section 29 or Section 38 of the FOI Act or using the attached FOI Application Form for Internal Review of a Determination (Internal Review Form).

An Internal Review application must be made to the Principal Officer of the agency that made the determination you are seeking to have reviewed.

## FREQUENTLY ASKED QUESTIONS

***1. How much does an Internal Review cost?***

There is an application fee of **$44.70** that must be paid when you lodge an Internal Review application if your review request is for access to documents. There is no application fee for an Internal Review of an FOI application for amendment to your personal records.

Agencies generally accept payment by cash, money order or cheque. If you would like to pay by credit card you will need to ask the agency if they are able to accept credit card payments.

If, as a result of an Internal Review an agency changes or reverses a determination so that access to a document is, or will be, given, the agency may refund the Internal Review application fee paid by the applicant, where applicable.

***2. What if I have a concession card or can't afford to pay?***

If you are the holder of a current concession card, or if you can satisfy the agency that the payment of the fee or charge would cause financial hardship, the agency must waive or remit (reduce or refund) the application fee.

If you are a concession cardholder you will need to provide the agency with evidence. For example you can attach a copy of your concession card to your completed FOI application form. Alternatively you will need to provide written reasons why the payment of a fee or charge would cause you financial hardship.

***3. How long does an Internal Review take?***

You will be advised of the outcome of your Internal Review application within 14 calendar days of it being received by the agency.

If the agency does not deal with your Internal Review application within 14 calendar days (or you remain unhappy with the outcome of the Internal Review) you are entitled to an External Review by the Ombudsman SA. Alternatively, you may apply for a review by the South Australian Civil and Administrative Tribunal (SACAT). See the External Review section below.

***4. When can't I apply for an Internal Review?***

If the original application determination was made by the Principal Officer of an agency rather than another accredited FOI Officer within the agency, you cannot apply for an Internal Review. However, you can apply for an External Review by the Ombudsman SA or apply for a review by SACAT.

## EXTERNAL REVIEW

After an Internal Review has been completed, or where you are unable to apply for an Internal Review, and you are unhappy with the determination, you have the right to apply for an External Review. All applications for External Review should be made to the Ombudsman SA.

### *How long will an External Review take and how much will it cost?*

If you wish to make an application for an External Review you must do so within 30 calendar days after being notified of the determination. However, the Ombudsman SA can extend this time limit at their discretion. There is no fee or charge for External Reviews undertaken by the Ombudsman.

| Contact Details: |
| --- |
| **Ombudsman SA**<br>**Phone**: 08 7322 7020<br>**Toll Free**: 1800 182 150 (outside metro SA)<br>**Email**: ombudsman@ombudsman.sa.gov.au |

## REVIEW BY SACAT

You have a right to apply for a review by SACAT if you are unhappy with:

- a determination not subject to Internal Review
- an Internal Review determination, or
- the outcome of a review by the Ombudsman SA.

You must exercise your right of review with SACAT within 30 calendar days after being advised of the above types of determinations or the results of a review. Any costs will be determined by SACAT, where applicable. For more information contact SACAT.

| Contact Details: |
| --- |
| **South Australian Civil and Administrative Tribunal (SACAT)**<br>**Phone**: 1800 723 767<br>**Email**: sacat@sacat.sa.gov.au |

## Application for Internal Review of Freedom of Information Determination Under Section 29 and 38 of the Freedom of Information Act 1991

| **Details of Applicant** | |
|---|---|
| Surname: | |
| Given Names: | |
| Australian Postal Address: | |
| Suburb: | Post Code: |
| Email (optional): | |
| Contact phone numbers: | |

**Details of Internal Review Request**

I have submitted an application requesting access to documents/amendment to a personal document in accordance with the Freedom of Information Act 1991. I am not satisfied with the determination made by your agency and, therefore, seek a review because:

***(Please check the appropriate box)***

☐ I have been refused access to a document

☐ I have been refused access to part of a document

☐ I have been refused a request to amend a personal document

☐ I have been given access to a document but access has been deferred

☐ I believe I have been charged too much

☐ I am a third party specified in the documents but have not been consulted about giving to another person

☐ I have been consulted but disagree with the determination to release the documents

**Comments**

Include any additional comments you wish to be considered in the review of the determination (include additional pages if necessary)

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**Fees and Charges**

Pursuant to Freedom of Information (Fees and Charges) Regulations 2018 an application fee of $44.70 for an internal review of FOI determination must accompany this form, unless you are seeking to have the application fee waived. Please attach evidence, eg a copy of your concession card, or other evidence as proof of financial hardship if this is the case.

You are not required to pay a fee or charge if seeking a review of a determination in regard to an application to amend your personal records or a review of a fee or charge determined by the agency.

In the following section please select as appropriate:

| | | | | |
|---|---|---|---|---|
| Do you qualify for fee waiver | ☐ Yes | ☐ No | | |
| Is proof attached | ☐ Yes | ☐ No | ☐ NA | |
| Is the fee attached | ☐ Yes | ☐ No | ☐ NA | |
| Application Fee is in the form of | ☐ Cheque | ☐ Cash | ☐ Money Order | ☐ Credit Card |

*(Do not send cash through the mail. Contact the agency to arrange credit card payment)*

Applicants Signature

Date ……/……/20

Forward the completed form to: Principal Officer, PO Box 57 MAITLAND SA 5573