

Requesting Access to Documents under FOI: what you need to know

Please read this information carefully before making an FOI request.

What is Freedom of Information (FOI)?

The *Freedom of Information Act 1982* (the FOI Act) gives every person the right of access to documents held by Australian Government agencies. Documents include things such as files, reports, information stored electronically, photographs, audio recordings, films or videotapes. Certain types of documents, or parts of documents, may be exempt from disclosure.

How do I make an FOI request?

You must:

- make the request in writing, either by completing [Form F6: Request for Access to Documents under FOI](#) or in an email/letter stating that the request is an application for the purpose of the FOI Act;
- provide contact details for us to send correspondence under the FOI Act;
- identify the documents sought; and
- email or post your request to us.

If you opt to make your FOI request by using Form F6, you must complete Parts 1 and 2 of this form.

Who is the “FOI Applicant”?

The FOI Applicant is the person seeking access to the documents in the request. You may be requesting documents relating to you, or on behalf of another person. You should place your details in Part 1 of Form F6.

I have an active review before the IAA – do I request access to my documents under the FOI Act?

If you have an active* review before the IAA, the IAA may be able to release certain documents to you outside of the FOI Act. For example:

- Your primary decision record and notification
- Some interview recordings
- Visa application/s and other information provided by you in support of your visa application

You can request an administrative release of documents by emailing iaa@iaa.gov.au. If you make an FOI request and any of the documents you have requested can be released to you without the formality of an FOI request we need your permission to do so. You can provide your authorisation at Part 2 of Form F6.

*An active review is a review that has not yet been ultimately determined by the IAA. Requests for files relating to finalised reviews will be processed under the FOI Act.

Can I make an FOI request on behalf of another person?

You may make an FOI request on behalf of another person (for example, you are a legal representative or migration agent seeking access on behalf of a client). In this case you are considered to be the FOI Applicant and must complete the relevant sections of Part 1 of Form F6 with your details. The person giving you the authorisation to make the FOI request must complete Part 3 of this form.

What should I do if I want access to information about other people?

If you wish to access documents containing personal information about another person, even if this is your relative, we may need to consult that person before deciding whether we can provide the documents to you. To help us make this decision, that person can provide their written consent in Part 4 of Form F6.

If you are seeking access to information about any child(ren) under the age of 18 in your role as parent or guardian, please provide your written consent where indicated in Part 4 of the form.

What should I do if I want access to my Department of Home Affairs file?

You may wish to lodge an FOI request directly with the Department. If you make an FOI request with us and your request partially or fully relates to documents held on the Department's file, we may transfer the request or relevant part of the request to the Department for processing.

Do I need to pay fees or charges?

There are no fees or charges when you lodge an FOI request for your own information.

Charges may apply if a request is made for information other than your own personal information. If charges are going to be imposed on your FOI request, you will be given written notice about this.

How will the documents be given to me?

If access is granted, we will provide you with an electronic copy of the documents. If you do not want the documents in an electronic format, please indicate your preference in Part 1 of the form. In most cases, you will be given the documents in the form requested.

What are my review rights?

If you disagree with our decision about your FOI request, you have the right to request an internal review.

If you are not satisfied with the way we handle your FOI request, and you have not been able to resolve this by contacting our office, you can also make a complaint to the Commonwealth Ombudsman. You are encouraged to lodge your complaint with us before lodging your complaint with the Commonwealth Ombudsman.

SUBMIT YOUR FOI REQUEST TO:

By email: enquiries@iaa.gov.au

By post: IAA
GPO Box 9955
Sydney NSW 2001