



# Application for Assessed Disclosure of Information Procedures

## Governance/Administrative Procedures Manual

Procedure 004 – Version 001

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**1. These Procedures should be read in conjunction with:**

- George Town Council Information Disclosure Policy No. 28; and
- Right to Information Act 2009

**2. Application for Assessed Disclosure of Information**

Assessed disclosure means a disclosure of information by a public authority or a Minister in response to an application in accordance with Section 13 of the Act in that:

13(1) An application for assessed disclosure of information may be made to any public authority or Minister who the applicant believes has the information.

(2) A person who seeks:

- (a) information in the possession of a public authority; or
- (b) information in the possession of a Minister

Must make a written application to the public authority or Minister for an assessed disclosure of the information.

A form to assist in making an application is available on Council's website or available at the Council office or by email request to [council@georgetown.tas.gov.au](mailto:council@georgetown.tas.gov.au).

If the applicant is not using the form, application may be made in writing and addressed to the:

**General Manager  
George Town Council  
PO Box 161  
George Town TAS 7253**

and the following information must be provided in the application:

- Name of applicant
- Postal or email address
- Daytime contact details (phone and/or email address)
- The general topic of the information requested

- Details of efforts to obtain the information requested through other methods other than an application for assessed disclosure under the Right to Information Act
- Date of the application
- Should the application relate to personal information, proof of identify will be required.

### 3. Application Fees

Applications are to be accompanied by the application fee. The fee is 25 fee units, which is indexed annually. Refer to [www.treasury.gov.au](http://www.treasury.gov.au) (fee units).

Applicants may apply to the Principal Officer to have the fee waived if:

- They are in financial hardship – taken to mean that they are on income support payments (upon evidence that they are in receipt of Centrelink or Veterans Affairs payments);
- They are a member of parliament and the application is in connection with official duties; or
- They are able to provide Council with information which shows that the information sought is intended to be used for a purpose that is of general public interest or benefit.

Applicants are to have looked for the information elsewhere before making a formal application, because if the information is otherwise available their application may be refused without the return of the application fee.

### 4. Receipt of Application

Upon receipt of an application for assessed disclosure of information:

- Each application is to be checked to make sure that the information requested is available and that the application fee is paid (or waived subject to conditions set out under point 7 of the Strategy).
- Applications may be transferred to another public authority if the Principal Officer or Delegated Officer does not believe that George Town Council is best placed to provide the information.
- Before an application is accepted, the Principal Officer or Delegated Officer may need to contact the applicant to enquire further about their application and to understand their request.
- Once the above steps are completed accordingly, the Principal Officer or Delegated Officer will assess the application against the *Right to Information Act 2009* and advise the applicant of the outcome of that process in writing.
- The applicant will be notified by the Delegated Officer of the decision on their application for assessed disclosure as soon as practicable, but in no more than 20 working days of the application being accepted.
- If the request is complex or for a large amount of information, the Delegated Officer may ask the applicant to allow Council more time to complete the request.

If there is a need to consult with a third party about their business affairs or about their personal information, more time is automatically given and the Principal Officer or Delegated Officer will advise the applicant of the outcome as soon as practicable, but no later than 40 working days. The applicant will be advised accordingly if this is the case.

If the application or part of the application is refused by the third party, then the reasons for the refusal to provide the information must be provided as part of the decision together with details on the right to seek a review of the decision.

This is done by writing to:

**General Manager  
Right to Information  
PO Box 161  
George Town TAS 7253**

- If the Principal Officer or Delegated Officer assessing the request does not get back to the applicant in the timeframe allowed then it can be taken as a refusal of the application and the applicant is able to make an application for review to the Ombudsman if the applicant so chooses.

Further information on reviews by the Ombudsman can be found on the Office of the Ombudsman's website, [www.ombudsman.tas.gov.au](http://www.ombudsman.tas.gov.au)