

 <p>DISTRICT COUNCIL of TUMBY BAY</p>	POLICY# 1.04 Freedom of Information POLICY AREA Administration	Version No: 1
	Issued: Oct 2011	
	Next Review: 2018 After Next Election	

Aims & Objectives

To provide appropriate delegation to Council Officers to determine and administer requests for access to documents under the FOI Act.

To provide a standard form for applicants to utilise in making application for access to documents under the FOI Act.

The Council was previously exempt from provisions of the Freedom of Information (FOI) Act 1991. Following amendments to the FOI Act 1991 in 2002, all local governments are now subject to the provisions and requirements of the FOI Act 1991. Council still has obligations under the Local Government Act 1999 to provide access to certain documents as specified under Schedule 5 of the Act.

Policy Detail

Members of the public wishing to access documents from Council under provisions of the FOI Act 1991 must do so by use of the Freedom of Information Application Form attached to this policy. This form outlines requirements of applicants to complete specific information to enable processing of applications.

The Act requires that all applications under the FOI Act must be dealt with by an accredited FOI Officer. The Accredited Officers will deal with any applications in a professional and considerate manner, having consideration for provisions of the Freedom of Information Act 1991.

Fees will be charged for applications made and information provided as per Freedom of Information (Fees & Charges) Regulations 1991.

Strategic Link:

Delegation:

Council provides appropriate delegation to officers to deal with applications under the following provisions:

- As per section 44 of the Local Government Act 1999, the Council hereby delegates to the Freedom of Information Officer the powers functions and duties of the Council to act as the Responsible Officer to deal with requests for access to documents under provisions of Section 132 of the Local Government Act 1999; and
- As per section 44 of the Local Government Act 1999, the Council hereby delegates to accredited Freedom of Information Officer, Mr Dion Watson the powers, functions and duties of the Council to act as the Responsible Officer to deal with requests for access to documents under provisions of the Freedom of Information Act 1991.
- As per section 44 of the Local Government Act the Council hereby delegates to the Chief Executive Officer the power to act as the Principal for the review of any requests lodged for access to documents under the provisions of the Local Government Act 1999 and Freedom of Information Act 1991.

Sub-Delegation:

- Delegation made to a specific position (including Chief Executive Officer) extends to any person appointed to act in the position.
- In the absence of the Chief Executive Officer, delegation extends to the Deputy Chief Executive Officer.

Documentation:

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Authority: Adopted by Council: 10/10/2011 {Motion No 19c/102011}
 Reviewed by Council: 10/11/2015 {Motion 7c/112015}

SIGNED:

Responsible Officer

Date: ____/____/____



FREEDOM OF INFORMATION APPLICATION FORM

I hereby make application under the Freedom of Information Act 1991 for access to the following documents.

Section 1 – Applicants Name
Section 2 – Address for Notices
Section 3 – Document Description This application must contain such information as is reasonably necessary to enable the document to be identified.
Section 4 – Signature of Applicant

OFFICE USE ONLY

Application Fee Paid: Yes/No Receipt Number: _____

Date Application Received: _____

Determination of Application: Access Granted/Refused/Deferred Date: _____

Additional Fees Required: Yes/No Amount (if yes): \$ _____

Notice of Determination advised to Applicant: Yes/No Date: _____

Application Determined by (name) _____

Signature of Officer: _____

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