[Select Date]

## Quick guide: Direction as to certain procedures to be followed by applicants in Information Commissioner reviews

The ‘Quick guide’ provides guidance to applicants seeking to comply with the *Direction as to certain procedures to be followed by applicants in Information Commissioner reviews* (the direction) issued on [date]. The paragraph number referenced below corresponds with the relevant paragraphs of the direction.

### ☐ The direction

* The direction applies to IC reviews generally (see 1.1 – 1.8).

### ☐ The IC review process

* The IC review process is intended to be informal, non-adversarial and timely. The IC review processes and procedures can be found in Part VII of the FOI Act and Part 10 of the Guidelines (see 1.9).

### ☐ Making an application for IC review

* Applications must be made in writing and should be made using the online application form (see 1.10 – 1.11).
* Applications must include contact details including name, contact telephone number and email address (see 1.12 – 1.13).
* Applications must also set out whether assistance is required and include details of their representative and evidence of the representative’s authority (see 1.14).
* Applications may be made by or on behalf of the person who made the request to which the decision relates (see 1.15).
* Applications must include the agency or Minister’s decision, or, if no decision has been made, a copy of the FOI request (see 1.16).
* Where there is a choice between applying for internal review or IC review, the Information Commissioner is of the view that it is usually better to seek internal review first (see 1.17).
* The OAIC will provide assistance to applicants who wish to make an application for IC review (see 1.17 – 1.19).
* Applications that do not meet the requirements may be considered to be invalid (see 1.20).

### ☐ Changes to contact details

* Applicants should advise of any change to contact details as soon as possible (see 1.21).

### ☐ Participation in IC review processes

* Applicants must respond to enquiries from the OAIC within the period provided unless there are special circumstances or an extension has been granted (see 1.22).
* Applicants must cooperate in progressing the IC review and must respond to contact by the OAIC. This includes being available to participate in alternative dispute resolution processes (see 1.23 – 1.24).

### ☐ Submissions

* Applicants will be provided with a reasonable opportunity to make written submissions or to respond to issues within the scope of the review (see 1.25).
* Submissions will be shared between the parties unless there is a reason not to do so (see 1.26).
* Confidential submissions will not be accepted unless an application to make confidential submissions has first been received and accepted (see 1.27).

### ☐ Information Commissioner decision

* All parties to the IC review will receive a copy of the written reasons for the decision and the decision will be published online (see 1.29).
* Decisions will quote or summarise submissions made unless they are confidential (see 1.30).
* Persons may opt not to be named in the decision. Other applicants including companies may provide reasons for wishing not to be named which will be considered on a case-by-case basis (see 1.31).

### ☐ Procedure for IC review of specific types of decision

* The procedures that apply to deemed access refusal, access refusal and access grant decisions are found in Part 3 of the direction (see 1.32 – 1.39).

### ☐ Non- compliance

* Failure to comply with the direction may result in the Information Commissioner deciding not to undertake or continue to undertake the IC review (see 1.40 – 1.41).

**For further information:** See *Direction as to certain procedures to be followed by applicants in Information Commissioner review,* Part 10 of the FOI Guidelines