



Information Sheet

INFORMATION SHEET - *Right to Information Act 2009* and *Information Privacy Act 2009*

Accessing information held by government

What is right to information?

The *Right to Information Act 2009* (Qld) (**RTI Act**) and *Information Privacy Act 2009* (Qld) (**IP Act**) require government agencies¹ to make information available to the public unless there is a good reason not to. Government information should, where possible, be given through informal means like an agency's website, publication scheme, or through administrative release.

A formal application for government-held information under the RTI Act or IP Act should only be made as a last resort.

The RTI Act and IP Act replace the repealed *Freedom of Information Act 1992* (Qld).

Which agencies can I access information from?

- Queensland government departments (eg Department of Transport and Main Roads)
- Health agencies
- Ministers
- Local government (eg your local Council)
- Government owned corporations (with some limitations) (eg Energex)
- Public authorities
- Public universities (eg University of Queensland)

Where do I start?

It is important to think about the sort of information you are looking for. If you can be specific about what information you are looking for it will:

- make it easier for you (or others assisting you) to search for the information on relevant websites, or to ask an agency to provide the information or help you to find out where to locate the information

¹ In this information sheet, references to an 'agency' include Ministers, unless otherwise specified.



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- reduce the time taken, and fees you are required to pay², for an agency to consider and decide whether to release the documents, if you need to make a formal application using the legislative process.

The next step is to go to the relevant agency's website and see if the information is already available. The links below will help you to find the relevant agency website.

- **Queensland government departments**
www.qld.gov.au/about/how-government-works/government-structure/
- **Local Government**
www.dsdip.qld.gov.au/local-government-directory/
- **Government owned corporations**
(GOC websites will have links to their main subsidiaries)
www.qld.gov.au/about/how-government-works/other-government-bodies/corporations/
- **Queensland Government Information Service**
<http://dds.information.qld.gov.au/dds/>
- **Ministers**
Check the relevant department's website. Ministers generally do not have websites about the work they do in their role as a Minister. If you can't find the information you are looking for contact the Minister's office.
www.cabinet.qld.gov.au/ministers.aspx
- **Other government bodies** (e.g. Authorities, Commissions and Boards)
Note some of these bodies may not be subject to the RTI Act or IP Act.
www.qld.gov.au/about/how-government-works/other-government-bodies/authorities-commissions/

Where on the website should I look?

Government agencies are required to have a publication scheme, which may be published on their website and detail what documents are already publicly available including financial information, services, decisions, policies and priorities. This information is also generally found in a section of the website often called 'About Us'. There may also be copies of documents that have already been released under formal right to information (RTI) applications on the disclosure log.

If you can't find the website's publication scheme, disclosure log or RTI webpage you could enter relevant words into the website's search function regarding the:

² For example, for processing time and to access the information (such as photocopy charges).



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- type of information you are looking for; or
- terms 'right to information' or 'publication scheme' to find parts of the website that explain how to obtain information from the agency.

What if I can't find the information I'm looking for?

You can contact the agency's customer service area, enquiries service or RTI unit³ by phone or email. Try to provide as much detail as you can about the information you are seeking. This will help agency staff to provide you with the best possible response. You can also ask if you can access the information through one of the agency's administrative access schemes. If it is available through an administrative access scheme, you will be advised of this and told how to go about accessing the information. Access through one of these schemes should be quicker and less onerous than making a formal access application. If an agency has an administrative access scheme in place for the information you want, it is entitled to refuse you access under the formal access application process.

What if I don't have access to the internet?

You can phone the relevant government agency or the Queensland Government's general enquiries line 13 QGOV (13 74 68) and ask to be directed to an appropriate representative to see if the information you are looking for is already publicly available. Contact your closest public library to see if you can access the internet from there. One of the library staff will assist you.

What if I can't access the information informally?

If you cannot access the information informally, you can submit a formal application. If you are only seeking documents that contain your personal information, then you may apply under the IP Act – there is no application fee for applications under the IP Act. If you would like any documents that do not contain your personal information, then you will need to apply under the RTI Act.

Your application should be made to the relevant agency by completing and submitting the approved form. You can download the form, or alternatively apply online, at www.rti.qld.gov.au. If you do not have internet access you can obtain a copy of the form from the RTI Unit of the relevant government agency, or from the Office of the Information Commissioner's Enquiries Service (contact details below).

³ Contact details for some RTI Units for departments are available at: www.rti.qld.gov.au/right-to-information-act/rti-contacts.



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Will there be a cost?

There is an RTI application fee⁴ and additional charges may apply for processing the application (including conducting searches for documents) and photocopying. If additional charges are likely the agency will notify you with a charges estimate notice before the application is processed.

Applications made under the IP Act and that only seek documents containing your personal information are free, if you request that the documents be sent via email or on CD. There is a cost if you want a photocopy of the documents.

You can apply for a waiver of the processing and access charges (but not the application fee) if you hold a valid concession card. For further information see the Guideline: [Applying for financial hardship as an individual](#) located on our website.

How long will it take to process my application?

An application is generally processed within about 5 weeks or 25 business days, but this can be extended in some circumstances.

Need more information?

Customer services, enquires or RTI staff within the agency from which you would like to obtain information may be able to assist you.

The Office of the Information Commissioner provides guidance about how the legislation operates through a range of guidelines and information sheets on the website: www.oic.qld.gov.au

OIC's Enquiries Service can provide general advice about how to obtain information on 07 3234 7373. Email enquiries@oic.qld.gov.au

This information sheet is introductory only, and deals with issues in a general way. It is not legal advice. Additional factors may be relevant in specific circumstances. For detailed guidance, legal advice should be sought.

If you have any comments or suggestions on the content of this document, please submit them to feedback@oic.qld.gov.au

Published 29 June 2011 and Last Updated 26 June 2013

Changes to legislation after the update date are not included in this document

⁴ See [Guideline – Fees and Charges](#)