

# FOI FACT SHEET

## Requesting Amendment to an Agency's Records Concerning Your Personal Affairs

South Australian *Freedom of Information Act 1991*

Please read the following information prior to completing the attached application form
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### FREEDOM OF INFORMATION

The South Australian *Freedom of Information Act 1991* (the FOI Act) gives you the right to have documents, concerning your personal affairs, held by any 'agency' that the Act applies to, amended if you believe that they are incomplete, incorrect, misleading or out-of-date. An 'agency' includes South Australian State Government Agencies, Local Government Councils and South Australian Universities.

Applications for amendment of an agency's records must be made in writing in accordance with Section 31 of the FOI Act. Applications are lodged with, and processed by, the agency that holds the record, e.g. if you are seeking to amend police records about yourself, you would lodge your application with South Australia Police.

### Requests for Amendment

You can seek an amendment to a document, that you have previously been given access to, if the document contains information about your own personal affairs that in your opinion is incomplete, incorrect, out-of-date or misleading.

Applications for amendment need to provide sufficient information to enable the document to be identified and you must also specify the amendment you wish to have made.

Applications for amendment will be dealt with by the agency's FOI Officer.

After processing your application the agency is required to provide you with a written determination in relation to your application. This is called a Notice of Determination. The Notice of Determination will include the agency's decision in relation to your request and, if your request has been refused, the reasons why this has occurred.

### ***How much will it cost?***

Applications for amendment are free.

### ***How long will it take?***

An application for amendment to a document will be dealt with as soon as practicable or within 30 calendar days of it being received.

If you do not receive a determination within 30 calendar days you can assume that the agency has refused your application but it is advisable that you contact the agency's FOI Officer or Unit to discuss.

### ***What if the agency refuses?***

If the agency refuses your request to amend its records you can lodge an application for review or appeal. The agency will advise you of your rights to review or appeal.

## **Notations**

If an agency refuses to amend its records, you can, in accordance with Section 37 of the Act, require that the agency add a notation to those records. This request must be made in writing and include the notation to be added.

A notation can specify the reasons why you believe the information about your personal affairs is incomplete, incorrect, out-of-date or misleading and include information you believe necessary to complete your records or bring them up-to-date.

## **Further Information**

If you need assistance in making an amendment application please contact the FOI or Unit in the agency that holds the record concerning your personal affairs.

Further information about freedom of information can be found on the State Records of South Australia website [www.archives.sa.gov.au](http://www.archives.sa.gov.au).

## FOI APPLICATION FORM

### Request to Amend a Document Containing Personal Affairs Information under Section 31 of the South Australian *Freedom of Information Act 1991*

Please read the attached '*FOI Fact Sheet – Requesting Amendment to an Agency's Records Concerning Personal Affairs*' before completing and lodging your application

Applicant Details	
Surname:	
Given Names:	
Australian Postal Address:	
Suburb:	Post Code:
Email ( <i>optional</i> ):	
Contact numbers:	
Application Details	
In accordance with Section 31 of the FOI Act, I seek amendment of my personal records held by Name of Agency:	
Please provide other relevant information that will assist with the identification of documents e.g. date of birth, previous names, etc. Copies of any documentation that would support your claim should be attached – please indicate which, if any, documents should be returned to you.	
I claim that the documents described below, contain information relating to my personal affairs that is:  <i>Please place a tick in the appropriate boxes</i>  <input type="checkbox"/> incomplete <input type="checkbox"/> incorrect <input type="checkbox"/> out of date <input type="checkbox"/> misleading	

The documents containing the information are:

The information that requires changing is:

The reasons I claim the information is incomplete, incorrect, out of date or misleading are:

The records should be amended to indicate the following:

Applicant's Signature:

Date ..... / ..... / 20.....

Note: If there is not enough space on this form, please attach extra pages.

**OFFICE USE ONLY**

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Received on ..... / ..... / 20.....

Acknowledgment sent on ..... / ..... / 20.....