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## Information Sheet

*Right to Information Act 2009 and Information Privacy Act 2009*

### How do I apply for government documents?

The *Right to Information Act 2009* (Qld) (**RTI Act**) and the *Information Privacy Act 2009* (Qld) (**IP Act**) give you the right to apply for access to documents from Queensland government departments (including the Queensland Police Service and Queensland Treasury), Ministers, local councils, public universities and statutory bodies (including public hospitals). These are referred to as "the agency" in this Information Sheet.

This Information Sheet will help you find and complete the approved form to make an application under the RTI Act or IP Act.<sup>1</sup>

#### Note

Although it's not compulsory, it may be helpful to contact the RTI Unit at the agency that holds the documents you seek before you make a formal application. The agency may be able to tell you if the documents are available through another process or give you information that will help to complete your application form.

### Application form

You need to complete the approved application form to make an application under the RTI Act or IP Act. The application form can be downloaded from [www.rti.qld.gov.au](http://www.rti.qld.gov.au). The link to the form can be found on the right hand side, towards the bottom of the page.

Alternatively, you can contact the agency you are applying to or the Office of the Information Commissioner (**OIC**)<sup>2</sup> to ask for the application form to be posted or emailed to you.

If you are applying to a Queensland government department, you can choose to complete the application form [online](#)<sup>3</sup>. The online form can **only** be used for applications to departments.

### How to complete the application form

The same application form is used for both RTI Act and IP Act applications.

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<sup>1</sup> This Information Sheet will primarily assist people who are completing the paper form. If you need help with the online application form you can contact the OIC Enquiries Service for general assistance.

<sup>2</sup> The OIC Enquiries Service can be contacted on 3234 7373 or by emailing [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au)

<sup>3</sup> <https://www.smartservice.qld.gov.au/services/information-requests/apply.action>



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The application form has sections marked with black triangles which indicate the areas you must complete.

**Contact details**

This section is where you enter your personal details such as name, postal address and preferred method of contact. If someone is acting on your behalf (they are called your agent) then the agent's details should be entered here.

**Question 1: Application type?**

In this section you need to tick whichever box most closely describes the type of documents you are seeking.

**Application Details**

**1. Which description most closely describes your application for access?**

- a.  All of the documents I'm applying for contain my personal information OR I'm seeking access on someone else's behalf, and all the documents contain that person's personal information – **IP application, no application fee.**
- b.  Some of the documents I'm applying for do not contain my personal information OR I'm seeking access on someone else's behalf, and some of the documents do not contain that person's personal information – **RTI application, application fee payable.**
- c.  None of the documents I'm applying for contain my personal information OR I'm seeking access on someone else's behalf, and none of the documents contain that person's personal information – **RTI application, application fee payable.**

If you are **only** applying for documents which contain your personal information (or the person's on whose behalf the application is made; see [How to help someone make an access application](#) for more information) then select "a" under Question 1 on the application form.

If you are applying for **some** documents which do not contain your personal information (even if some other documents will) then the application must be dealt with under the RTI Act. Select "b" under Question 1 on the application form.

If **none** of the documents you are applying for contain your personal information then the application must be dealt with under the RTI Act. Select "c" under Question 1 on the application form.

For more guidance see the Information Sheet: [What is personal information?](#)

**Application fee**

There is no application fee or processing charges for applications made under the IP Act.

If you are requesting access to any documents which do not contain your personal information then your application must be made under the RTI Act (see above). There is an application fee of \$51.70 for all RTI Act applications and possible processing charges. The application fee cannot be waived.



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If you have questions about how to pay the application fee, please contact the agency you are applying to. You can find a list of [RTI and IP agency contacts](#) for departments on the RTI website.<sup>4</sup> If the agency is not a department then refer to their website to locate contact details for the RTI Unit. If you cannot find the agency contact details then the OIC Enquiries Service may be able to assist you.

See the Information Sheets: [Fees and Charges](#) and [Applying for financial hardship as an individual](#) for more information about fees and charges in relation to your application.

**Question 2: On behalf of the applicant?**

If you are making the application for yourself, select “no”.

If someone is acting as your agent, they should select “yes” and enter your name at Question 2.

**Note**

If the documents will contain your personal information then there are additional evidence of identity and evidence of authority requirements for the agent.

For more guidance see [How to help someone make an access application](#).

**Question 3-4: Benefit of another person?**

If you are applying under the IP Act you can ignore these questions.

If you are applying under the RTI Act you must answer them, either yes or no. If you are seeking access for the use or benefit of another person, company or body then you must specify this at question 3-4. For example, a parent applying for information about a school which they intend to provide to the Parents & Citizens Association.

**Question 5: Agency?**

Name the Queensland government agency or Minister you are applying to in this section (for example, Queensland Police Service, your local council, Metro North Hospital and Health Service).

If you want to apply to more than one agency you must complete a separate application form for each agency.

**Question 6: Which documents?**

This section is where you describe the documents you want to access. You need to make sure you provide enough detail about the documents for the agency to

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<sup>4</sup> <http://www.rti.qld.gov.au/rti-ip-agency-contacts>



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be able to identify them. It will help if you can be as specific as possible about what you are seeking and provide as much information as you can.

If you are able to provide the information that is requested in questions 6(b)-6(f) this will assist the agency in locating the documents. You can leave some or all of these sections blank if you do not have this information or if it's not relevant.

If it is easier or you need more space, you can attach a separate piece of paper explaining the documents you are seeking.

### **Evidence of identity**

If you are applying for any documents which contain your personal information (for example, your name) then you must provide evidence of your identity with the application form.<sup>5</sup> Examples of evidence of identity include:

- a passport
- a copy of a birth certificate or extract
- a driver licence
- a statutory declaration from an individual who has known the person for at least one year

If you are providing a photocopy of the ID then it must be certified as a correct copy of the original document by a Justice of the Peace (JP), Commissioner for Declarations, lawyer or Notary Public.

If an agent is acting for you and any of the documents being applied for will contain your personal information, then the agent must also provide:

- evidence of their own identity (the same requirements as the applicant's evidence of identity); and
- proof of authority to act as your agent.

#### **Note**

You cannot upload your certified ID if you complete the online application form. You may be able to provide it electronically (for example, by fax or email) if the agency agrees to receive it that way. Otherwise, you will need to post the certified copy of ID to the agency.

For more information your agent can refer to *How to help someone make an access application* and the [Evidence of authority and identity](#) guideline.

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<sup>5</sup> Or within 10 business days of making the application.



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### **Contact from the agency**

The agency may send an acknowledgement letter when your application is received, however, it is not a requirement for the agency to do so.

If you do not hear from the agency and would like to confirm your application was received or have any questions about the application then you can contact the RTI Unit at agency directly.

For additional information and assistance please refer to the OIC's guidelines, or contact the Enquiries Service on 07 3234 7373 or email [enquiries@oic.qld.gov.au](mailto: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](mailto:feedback@oic.qld.gov.au).

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