



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, Ministers, local councils, public hospitals, public universities and statutory bodies. These are called "the agency" in this Information Sheet.

This Information Sheet will help you make an application to an agency under the RTI Act or IP Act.¹ If you want documents from more than one agency, you will need to make a separate application to each agency.

Will I get the information I want?

It depends on what you are applying for. You will usually get access to your own information, but in most cases you will not be given access to someone else's personal information, the name of someone who made a complaint about you, or information about an active investigation. This is because it is contrary to the public interest to release that information.

These information sheets explain more: [What is Exempt Information](#) and [What is the public interest - a guide for applicants](#).

The application form

You need to fill out the application form to make an application under the RTI Act or IP Act. The same application form is used for both RTI Act and IP Act applications. You can download it from 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 or the Office of the Information Commissioner (**OIC**)² to ask for an application form to be posted or emailed to you.

Applying to a department

If you are applying to a Queensland government department, you can use the [online form](#)³. It can **only** be used for applications to departments. For all other agencies, you must use the PDF version of the form.

¹ 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.

² The OIC Enquiries Service can be contacted on 07 3234 7373 or by emailing enquiries@oic.qld.gov.au

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



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How to complete the application form

The black triangles on the form indicate which sections must be completed.

Contact details

This section is where you enter your personal details such as name, email, 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 information of the person on whose behalf the application is being 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 and processing charges

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

If you want to access any documents which do not contain your personal information, your application must be made under the RTI Act (see above). From 1 July 2023, there is an RTI application fee of \$55.75 and possible processing charges of \$8.65 per fifteen minutes spent working on the application. The application fee cannot be waived. There may also be access charges of \$0.25 per A4 page for paper copies, but these will not apply for electronic copies.



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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.⁴ 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's contact details, 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 there are additional evidence of identity and evidence of authority requirements for the agent. These are explained below.

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. If you are seeking access for the use or benefit of another person, company, or body then you must specify this at questions 3-4. For example, a parent applying for information about a school which they intend to provide to the Parents & Citizens Association would tick yes at question 3 and write the name of the P&C at question 4.

Question 5: Agency?

Write the name of 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 fill out a separate application form for each agency.

Question 6: Which documents?

This section is where you write down what documents you are applying for. The decision maker who will process your application is unlikely to have any knowledge of your interactions with the agency, so you must give them the information they need to conduct searches for the documents you seek. Be as

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



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specific as possible, because it will help the decision maker find all of the documents.

It is important to remember you can only apply for documents that already exist. You can't ask questions or ask for documents to be created for you.

If your application is too big, there is a chance the agency will not be able to process it. They will discuss this with you if this occurs.

The questions at 6(b)-6(f) may not be relevant to your application, but if they are, answering them will help the agency find the documents. If you do not have this information, or if they are not relevant, you can leave them blank.

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.⁵ 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

This ID must not be expired. If you are providing a photocopy of your ID, it must be certified as a correct copy of the original by a Justice of the Peace (JP), Commissioner for Declarations, lawyer or Notary Public.

You cannot black out or remove any information from your ID before you give it to the agency. If you do, your ID will not be valid for the RTI or IP Act and the agency will ask you to send them a new copy of your ID showing all the information. They will not be able to process your application until they have this.

Applicants who are incarcerated have different ID requirements. These are outlined in [Applying while incarcerated in Queensland](#).

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.

If someone is applying for you or helping you apply, they can refer to [How to help someone make an access application](#).

⁵ Or within 10 business days of making the application.



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Contact from the agency

Some agencies will send you an acknowledgement letter when your application is received, however this is not a requirement and you may not receive one.

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

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.

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