

NATIONAL GALLERY OF AUSTRALIA

FREEDOM OF INFORMATION POLICY

November 2014

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1. Freedom of Information

The National Gallery of Australia has a variety of information available for public access on our website. You can also formally request access under the *Freedom of Information Act 1982* (FOI Act) to documents we hold.

2. Your Rights

The FOI Act gives any person the right to:

- access copies of documents (except exempt documents) we hold
- ask for information we hold about you to be changed or annotated if it is incomplete, out of date, incorrect or misleading
- seek a review of our decision not to allow you access to a document or not to amend your personal record.

You can ask to see any document that we hold. We can refuse access to some documents, or parts of documents, that are exempt. Exempt documents are set out in the FOI Act.

3. How to make an FOI request

Your request must:

- be in writing (email is permitted)
- state that the request is an application for the purposes of the FOI Act
- describe the documents you seek in enough detail to allow the decision-maker to identify and find them
- provide an address for reply

Email your request to: FOI@nga.gov.au or send your request to:

FOI and Privacy Officer
National Gallery of Australia
GPO Box 1150
Canberra ACT 2601

4. Evidence of identity to access personal information

If you are seeking access to documents that contain your personal information, we will require evidence of your identity with your application. If you are seeking documents containing personal information on behalf of another person, both of you must provide evidence of your identities. Evidence of identity must clearly show that you are the person whose personal information is being requested. This will include a physical address, as documents containing personal information may be sent to you by registered post rather than by email.

Acceptable identity documents include:

- a passport
- an Australian driver's licence
- any other official identification in the English language which contains your photo, signature and address.

A copy of these documents may be sent to us or scanned as an email attachment. Please have the documents certified as a true copy of the original by a person having the power to witness a Commonwealth statutory declaration.

[List of Authorised Witnesses](#) (external website)

5. Letter of authorisation for requests made on behalf of another person

If another person is requesting documents on your behalf we will require a signed letter of authorisation from you and well as proof of your identity and the identity of that other person. The letter must specifically authorise the National Gallery of Australia to either send copies of documents to that person or to allow that person to inspection copies of documents containing your personal information.

If you need help with your request, contact the FOI and Privacy Officer on 6240 6411 or email FOI@nga.gov.au

6. Fees and Charges

There is no application fee for an FOI request, application for amendment or annotation of a personal record or an internal review request.

There are no processing charges for requests for access to documents containing only personal information about you. However, processing charges may apply to other requests. Whether a charge is imposed is at the discretion of the National Gallery of Australia.

The most common charges are shown in the following table:

Activity Item	Charge
Search and retrieval: The time we spend searching for or retrieving a document	\$15 per hour
Decision making: Time we spend in deciding to grant or refuse a request, including examining documents, consulting with other parties and making decisions	First 5 hours: Nil Subsequent hours: \$20 per hour
Photocopy	\$0.10 per page
Inspection: Supervision by an agency officer of your inspection of documents	\$6.25 per half hour or part thereof
Delivery: Sending or delivering a copy of a document at your request	Cost of postage or delivery

If we decide to impose a charge, we will give you a written estimate and the basis of our calculation. Where the estimated charge is between \$20 and \$100, we may ask you to pay a deposit of \$20. Where the estimated charge exceeds \$100 we may ask you to pay a 25 per cent deposit before we process your request.

You can ask for the charge to be waived or reduced for any reason, including financial hardship or on the grounds of public interest. You may then need to explain your reasons and provide evidence.

If we decide to impose a charge, you will be required to pay the full charge (less any deposit) before you are given access to the documents.

7. What you can expect from us

We will tell you within fourteen days that we have received your request. We will also give you an estimate of the charges that apply to your request. We will give you our decision within thirty days unless that time has been extended. If a document contains information about third parties, we will need to consult with those parties and may need to extend the time to give you our decision by another thirty days. We may also seek your agreement to extend the time by up to thirty days if your request is complex.

8. If you disagree with our decision

When we have made a decision about your FOI request, we will send you a letter explaining our decision and your review and appeal rights.

You can ask for the following decisions to be reviewed if:

- we refuse to give you access to all or part of a document or if we defer giving you access
- we impose a charge
- we refuse to change or annotate information about you that you claim is incomplete, incorrect, out of date or misleading

A third party who disagrees with our decision to give you documents that contain information about them can also ask for our decision to be reviewed.

8.1 Internal review

You can request in writing that we reconsider our decision through an internal review. An internal review will be conducted by another officer in our agency. We will advise you of our new decision within thirty days of receiving your request.

8.2 Review of decisions

You can ask the Administrative Appeals Tribunal to review our original decision or our decision on internal review within sixty days of the date of the decision (or thirty days after you are notified if you are an affected third party). The Tribunal can affirm the decision or substitute a new decision. The Tribunal may decide not to conduct a review in certain circumstances. More information is available from the [Administrative Appeals Tribunal](#) website.

9. Complaints

If you are unhappy with the way we have handled your request, you can contact the [Commonwealth Ombudsman](#) who may investigate our actions. The Ombudsman can also investigate complaints about our actions.

10. Freedom of information disclosure log

In accordance with Subsection 11c(3) of the *Freedom of Information Act 1982* Australian Government agencies must publish on their websites details of information they release in response to freedom of information.

Our Freedom of Information Disclosure Log is available on our website.

If you wish to obtain copies of these documents, email: FOI@nga.gov.au