

## Freedom of Information – Your Review and Appeal Rights

*In accordance with the Freedom of Information Act 1991*

### Requests for an Internal Review

You are entitled to apply for an Internal Review of a determination made by SA Water if:

- You are dissatisfied or concerned with a determination SA Water has made in relation to an FOI application for access to a document(s) (unless made by the Principal Officer)
- You are dissatisfied with the response for a request for amendment to your personal records
- SA Water has failed to make a determination within 30 (calendar) days after receiving your application or an extension of time has been granted by the Principal Officer

### How do I make a request?

To make an application for an Internal Review you must write a letter or lodge an application form with the Principal Officer and include the application fee. If you are the holder of a current concession card, or if you can satisfy SA Water that the payment of the fee would cause financial hardship, SA Water can waive or remit (reduce or refund) the application fee.

### How long will it take?

1. If you wish to make an application for Internal Review you need to do so within 30 (calendar) days after being notified of the determination.
2. You will be advised of the outcome of your Internal Review application within 14 (calendar) days of it being received by SA Water.
3. If SA Water does not deal with your Internal Review application within the 14 (calendar) days, you are entitled to an External Review by the State Ombudsman within 30 (calendar) days. There is no statutory time limit for an External Review and the time taken to complete the External Review will depend on the size and complexity of your original request. You can discuss any concerns directly with the Ombudsman's office. There is no fee or charge for an External Review investigation.

### What if I am still not happy?

You can only apply to the District Court if you are dissatisfied with:

- A determination not subject to Internal Review (e.g. extensions to deal with an application)
- The outcome of an Internal Review or External Review

You will not be able to commence an External Review once you have appealed to the District Court. You must appeal to the District Court within 30 (calendar) days. Any costs will be determined by the District Court where applicable.

### Contacts:

- The State Ombudsman may be contacted on (08) 8226 8699 (1800 182 150 toll free within South Australia) or [ombudsman@ombudsman.sa.gov.au](mailto:ombudsman@ombudsman.sa.gov.au)
- The District Court can be contacted on (08) 8204 0289 or [district.civil@courts.sa.gov.au](mailto:district.civil@courts.sa.gov.au)

**Application for Internal Review of Determination**  
Under s29 & 38 of the *Freedom of Information Act 1991*  
Lodgement of Application to the Principal Officer, SA Water

**Applicant Details**

Company (if appl.) \_\_\_\_\_ Address \_\_\_\_\_  
Title: (Mr/Ms/Mrs/Miss) \_\_\_\_\_  
Surname \_\_\_\_\_ Post Code \_\_\_\_\_  
Given Names \_\_\_\_\_ Phone \_\_\_\_\_  
SA Water FOI Reference Number: **SN** \_\_\_\_\_ Email \_\_\_\_\_

I have submitted an application requesting access to documents in accordance with the *Freedom of Information Act, 1991*. I am not satisfied with the determination made by your agency and therefore seek a review because: *(Please place a tick in the appropriate box)*

- I have been refused access to a document
- I have been refused access to part of a document
- I have been refused a request to amend a personal document
- I believe I have been charged too much
- I am third party specified in the documents but have not been consulted about giving access to another person
- I have been consulted but disagree with the determination to release the documents

**Comments**

Include any additional comments you wish to be considered in the review of the determination *(include additional pages if necessary)*

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**Fees and Charges:** An application fee of **\$32.25** must be submitted with the completed application form, unless you are seeking to have the application fee waived.

**In the following section please tick as appropriate:**

Do you qualify for fee waiver? ( ) Yes ( ) No

Is proof attached? ( ) Yes ( ) No

Is the fee attached? ( ) Yes ( ) No

Application Fee is in the form of ( ) Cheque ( ) Cash ( ) Money Order

*If no fee is attached and you do not qualify for fee waiver then this application will not be valid until the fee has been received by the agency. If SA Water varies or reverses a determination, it will refund any fees paid by the applicant.*

Signature \_\_\_\_\_ Date ..... / ..... / 20.....

**Please send to: Principal Officer, SA Water Chief Executive, GPO Box 1751 Adelaide SA 5001**

**OFFICE USE ONLY**

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

Due date:..... / ..... / 20.....

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

Fee paid: Yes/No/NA

Concession applicable? Y/N