Australian Government

Department of Home Affairs

Request for access to documents or information

Form **424A**

Important – Please read this information carefully before you complete the request. Once you have completed your request we strongly advise that you keep a copy for your records.

Your rights

You have a right to request access to your own personal information under the *Privacy Act 1988* (the Privacy Act). Under the *Freedom of Information Act 1982* (the FOI Act) you can also access copies of documents (except exempt documents) held by the Department of Home Affairs (the Department) and other Australian Government departments.

If your request can be processed under the Privacy Act, it will either be processed by the Freedom of Information (FOI) team or sent to the relevant business area of the Department, to be completed within 30 days.

Where your request is likely to be complex or take longer than 30 days we will process your request under the FOI Act. At any time you can ask for your request to be treated as a request under the FOI Act. Please note, where we are able to process your request under the Privacy Act and you inform the Department that you would like the request to be actioned under the FOI Act, the legislative timeframe under the FOI Act will commence from that date.

Where the Department is unable to provide access to documents under the Privacy Act, your application will be taken to be a request for access under the FOI Act from the date that your request is received by the Department.

Access to your personal information under the Privacy Act

Under the Privacy Act you may obtain original documents which you have given to us or copies of personal documents on your file which you have provided to us or that we have sent to you, by contacting your current departmental case officer.

The Privacy Act requires that the Department responds to requests for access to personal information within 30 days. Further information is contained in form 1442i *Privacy notice*.

Access to documents under the FOI Act

Under the FOI Act you can access documents held by the Department, including policy documents and personal information, subject to exemptions necessary to protect essential public or private interests.

Access to departmental documents held by the National Archives of Australia

Documents considered to be in the 'open access' period under the *Archives Act 1983* may be held by the National Archives of Australia. To enquire about any such departmental documents please visit the National Archives of Australia 'ask a question' website **https://www.naa.gov.au/help-your-research/ask-us-about-collection**

Note: Requests for access to personal information must be directed to the Department in the first instance.

Access to specific personal information held by the Department

Options to access information are available on the Department's website at **www.homeaffairs.gov.au**

- For evidence of your current visa status that is accepted by other government agencies and employers, use our Visa Entitlement Verification Online (VEVO) functionality.
  Please visit **https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/check-conditions-online**
- If you are a long term resident who arrived in Australia before 1990 and have not left the country since your arrival, you can request an electronic visa record which will allow you to use VEVO. Please visit **https://immi.homeaffairs.gov.au/visas/permanent-resident/evidence-of-residency-status/request-an-electronic-visa-record**
- To apply for an ImmiCard, please visit **https://immi.homeaffairs.gov.au/entering-and-leaving-australia/proof-of-identity**
- To obtain evidence of a deceased person's citizenship status please visit **https://immi.homeaffairs.gov.au/citizenship/certificate/request-status-of-deceased-person#Overview**
- You can make a request for information via the web enquiry form at **https://www.homeaffairs.gov.au/help-and-support/departmental-forms/online-forms/foi**

If you are seeking:

- Your International Movement records, please complete form 1359 *Request for international movement records.*
- Your superannuation status, please complete form 1194 *Certification of Immigration Status and/or request to cancel a Temporary Resident visa.*

These forms are available online **www.homeaffairs.gov.au/allforms/**

The Department's privacy policy is available from the Department's website **https://www.homeaffairs.gov.au/access-and-accountability/our-commitments/privacy**

Can someone else make a request for you?

You may ask someone else, such as a friend or migration agent, to make a request for you. If you nominate a friend or migration agent to act on your behalf, you must fill in Part C of this form. All notices regarding your request will be sent to them.

If you change your nominated friend or migration agent for your FOI request, it is important that you advise us as soon as possible.

If you want documents or information about another person

To assist us in deciding if we can provide another person's information to you, please provide evidence of your authority to ask for their information. For example, if they consent to your request, please provide evidence of this or have them complete Part D of this form where indicated. That person will also usually need to provide proof of identity (such as a current Passport or Driver's licence). If you are unable to provide authority, please provide a reason why you believe this information should be released to you.

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How to make a valid FOI request for access

To make a valid FOI request, you must make a written application to the Department. You must state that:

- your request is made under the FOI Act;
- describe in detail the documents you wish to access; and
- include details of how notices of information may be sent to you.

You can make a request via the web enquiry form at **https://www.homeaffairs.gov.au/access-and-accountability/freedom-of-information/access-to-information/how-to-make-a-request**, use the attached form or send a letter detailing your request either by post or email.

For further information about how to apply online, visit the Department's website

https://www.homeaffairs.gov.au/access-and-accountability/freedom-of-information/access-to-information

Proof of identity

If you are requesting your own personal documents please include a certified copy of some form of photographic identification (such as a current Passport or Driver's licence) to assist us in processing your request.

Amend or annotate your personal information

Under the FOI Act you can ask that your personal information be amended or annotated if it is incomplete, incorrect, out of date or misleading, and has been used, is being used or is available for use for an administrative purpose. Additionally you are able to request correction of your information under the *Privacy Act 1988* under Australian Privacy Principles 13.1.

You are able to make a request to amend personal information online, at **https://www.homeaffairs.gov.au/help-and-support/departmental-forms/online-forms/foi**
Otherwise, see form 424C *Request for amendment or annotation to personal records*.

Where to send your request

Requests can be sent to:

Freedom of Information Section
Department of Home Affairs
GPO Box 241
MELBOURNE VIC 3001

Email: foi@homeaffairs.gov.au

For further information about how to apply online, visit the Department's website **https://www.homeaffairs.gov.au/access-and-accountability/freedom-of-information/access-to-information**

What will a FOI request cost?

There is no charge to access your own documents.

The costs relating to FOI requests for other documents, such as policy documents or documents about people other than yourself, are determined by the *Freedom of Information (Charges) Regulations 2019*.

The Department may ask for payment of charges for processing your request as follows:

Search and retrieval of documents	AUD15.00 per hour
Decision-making/consultation	AUD20.00 per hour
Photocopying documents	10 cents per page
Postage	Actual cost
Supervised inspection of documents	AUD6.25 per half hour or part thereof

The first 5 hours of decision-making time will be free.

Deposits

Where the estimated charge for processing your request exceeds AUD25.00, we may ask you to pay a 25% deposit before we can proceed.

Processing times

Under the FOI Act the standard processing time is 30 days. The Department may contact you should an extension of time be required. The Department receives many FOI requests and can respond to your FOI request more easily if we know what specific documents you want access to and when you need them (see Question 13).

Compliments and complaints

Your feedback is valuable to the Department and will help us to improve our services.

Feedback received by the Department is handled in accordance with the provisions of the *Freedom of Information Act 1982* (the FOI Act) and the *Privacy Act 1988*.

To provide compliments, complaints or a suggestion about any of the Department's services, you can:

- complete the feedback webform at **www.homeaffairs.gov.au/feedback**, or
- write to:

  The Manager
  Global Feedback Unit
  GPO Box 241
  MELBOURNE VIC 3001
  AUSTRALIA

The Australian Information Commissioner

If you are not satisfied with how the Department has handled your request, you can contact the Office of the Australian Information Commissioner in the following ways:

Online: **www.oaic.gov.au**

Telephone: 1300 363 992 (local call charges apply)

Important information about privacy

The *Privacy Act 1988* contains 13 Australian Privacy Principles which regulate the way that the Department collects and handles personal information. Information about how the Department collects, uses and discloses personal information for its key functions can be found in form 1442i *Privacy notice*. More information about the Department's general information handling practices (including form 1442i) can be found in the Department's Privacy policy at **https://www.homeaffairs.gov.au/access-and-accountability/our-commitments/privacy**

Further enquiries

For general information on FOI you should visit the Australian Information Commissioner's website **www.oaic.gov.au**

Home page **www.homeaffairs.gov.au**

Please keep these information pages for your reference

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Department of Home Affairs

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Form **424A**

Please open this form using Adobe Acrobat Reader.
Either type (in English) in the fields provided or print this form and complete it (in English) using a pen and BLOCK LETTERS.

Tick where applicable ☑

Where possible your request will be sent to the relevant business area to be processed under the *Privacy Act 1988* (Privacy Act). If we cannot process this request under the Privacy Act we will treat this as a request for information under the *Freedom of Information Act 1982* (FOI Act).

Part A – Your details

1 Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other ☐

2 Full name

Family name

Given names

3 Have you been known by any other names?
(including name at birth, previous married names, aliases)

No ☐

Yes ☐ ▶ Give details

Family name

Given names

4 Date of birth (Day Month Year)

5 Any of the following numbers, if known, would assist us to more quickly locate your records

Client ID number (CID)

Client file number (CFN)

Permission Request ID Number (PRID)

Boat ID

6 **Your signature**

Date (Day Month Year)

7 Your postal address

Postcode

8 Your telephone numbers

	Country code	Area code	Number
Office hours	( )	( )	
After hours	( )	( )	
Mobile			

9 Preferred method of communication
(Tick one box only)

Email ☐ ▶ Email address

Post ☐

10 Do you need an interpreter?

No ☐

Yes ☐ ▶ Language

Part B – Document(s) or information

11 Please provide as much detail as you can to help us quickly identify your document(s) or the information you seek, including any reference numbers

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12 Do the requested document(s) or information relate to another person (eg. spouse, dependants and other parties involved in your application)?

No ☐

Yes ☐ ▶ Ensure you also complete Part D

13 Urgency *(optional)* – Please advise if you have an application at any of the following (please include hearing dates):

Day Month Year

Administrative Review Tribunal (ART) ☐ ▶ Date

Court ☐ ▶ Give details

Date

Ministerial cancellation ☐

Visa cancellation ☐ ▶ Date

Other ☐ ▶ Give details

Reason for urgency

Date you require information by

14 How would you like to receive your decision?

Email ☐

CD ☐

Paper ☐

Other ☐ ▶ Give details

The Department will endeavour to provide the decision in your preferred format.

Part C – Consent for person to act

15 Do you want to authorise someone to obtain access to the document(s) described in Part B?

No ☐ ▶ **Go to Part D**

Yes ☐ ▶ Please complete the authorisation below

I hereby authorise *(full name of other person)*

Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other

Family name

Given names

Migration Agent Registration Number (MARN) *(if this person is an Australian registered migration agent)* 7 Digits

Legal Practitioner Number (LPN) 7 Digits 5 5

whose signature appears below, to obtain access to the document(s) described in Part B, in accordance with the FOI Act.

Address of other person

Postcode

Telephone (Area code)

Email address

Your signature

Day Month Year

Date

Signature of other person

Day Month Year

Date

16 Preferred method of communication *(Tick one box only)*

Email ☐ ▶ Email address

Post ☐

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Part D – Request for release of document(s) or personal information of another person

17 Are you requesting document(s) and/or information about another person?

No ☐ ▶ **Go to Part E**

Yes ☐ ▶ Provide details

Third party's full name

Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other ☐

Family name

Given names

Day Month Year

Date of birth

Address

Postcode

Telephone numbers

Country code Area code Number

Office hours ( ) ( )

After hours ( ) ( )

18 By what authority are you requesting this person's document(s) or information?

With consent ☐ ▶ **Go to Question 19**

Without consent ☐ ▶ **Go to Question 20**

19 Attach evidence of consent or ask the person to sign below

I (full name)

consent to the Department of Home Affairs releasing the document(s) or information about me set out in this request to the applicant.

Signature

Day Month Year

Date

▶▶ **Go to Part E**

20 Provide the basis of request or other authority (eg. for law enforcement purposes, required by law). *Attach any supporting documents.*

Part E – Young people and people under representation

21 Is your request on behalf of a person you represent (eg. an executor or receiver)?

No ☐

Yes ☐ ▶ Provide details of your capacity to act for them and attach evidence of your appointment (eg. probate of a will or court order)

22 The release of information of or about persons under 18 years of age may require their consent if they are capable of making independent decisions about their own information.

Do you want to access information about child(ren), under the age of 18 years, in your role as parent or guardian?

No ☐

Yes ☐ ▶ Provide their details

Child's full name

Family name

Given names

Day Month Year

Date of birth

If more than one child, attach additional details.

I certify that I have parental responsibility for this child and that there are no Court orders or any other circumstances or causes which affect my parental responsibility for this child.

Your signature

Day Month Year

Date

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Part F – Declaration

23 **WARNING**: Giving false or misleading information is a serious offence.

I declare that:

- I am aware that any person who provides false or misleading information, or who deceives or misleads, or who presents a forged document to an Australian Government official, may be prosecuted.
- I have read the information contained in form 1442i *Privacy notice.*
- I understand the Department may collect, use and disclose my personal information (including biometric information and other sensitive information) as outlined in form 1442i *Privacy notice.*

Your signature

Day Month Year

Date

Part G – Checklist

24 Please indicate the documents attached to this request.

Proof of identity – certified copies of current:

Passport ☐

Driver's licence ☐

Travel document ☐

Other ☐ ▶ Please specify

We strongly advise that you keep a copy of your application and all attachments for your records.

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