

# Right to Information Act *Right of Review*

## Review of Decision

If you are not satisfied with the decision made by the council staff member delegated to assess your application under the *Right to Information Act*, you may apply for an internal review, or you may apply directly for an external review.

## What is an internal review?

An internal review is a process established under the *Right to Information Act* which allows the decision made by the delegated officer to be reviewed by the Chief Executive Officer.

The Chief Executive Officer will independently review your initial application and consider any issues you raise, and will determine the information you are to be given access to.

## How do I apply for an internal review?

**Internal review is optional.** It is not necessary for you to apply for an internal review of the decision before applying for an external review.

If you wish to apply for an internal review you must:

- Make your application in writing
- Lodge your application within 20 business days of receiving the decision letter
- Send your written application to:

The Chief Executive Officer  
Mackay Regional Council  
P O Box 41  
Mackay QLD 4740  
Fax: 07 4922 2400  
Email: [council@mackay.qld.gov.au](mailto:council@mackay.qld.gov.au)

Your application for review may give the reasons you dispute the original decision.

The Chief Executive Officer will consider your original application and the request for review, and will advise you of his decision within 20 business days of receipt of your letter.

## What is an external review?

An external review is a process established under the *Right to Information Act* which allows decisions made by the Council under the Act to be independently reviewed by the Information Commissioner.

The Information Commissioner will conduct a merits review of decision made under the RTI Act. This form of review involves a reconsideration of all aspects of the original decision including questions of law, questions of fact, discretion and policy.

## Who can apply for external review?

Any person who is affected by a decision made under the RTI Act may apply to have the decision reviewed by the Information Commissioner in certain circumstances.

Generally the applicant for external review is the person who applied for the access to the information, however the right to seek external review can be exercised by a third party who is affected by the decision.

## How do I apply for external review?

If you wish to apply for external review you must:

- Make your application in writing, giving details of the decision for review
- Lodge your application within 20 business days of receiving the decision letter
- Send your written application to:

Office of the Information Commissioner  
P O Box 10143, Adelaide Street  
Brisbane QLD 4000  
Fax: 07 3005 7150  
Email: [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au)

Your application for external review may give details of the basis on which you dispute the decision made by the Mackay Regional Council.