

FREEDOM OF INFORMATION

The *Freedom of Information Act 1982 (Vic)* (Act) gives members of the public the right to request information held by the Victorian Ports Corporation (Melbourne) (VPCM).

What information is available?

VPCM's FOI Part II Statements contain further information about the types of documents held by VPCM. These include:

- Documents created by VPCM.
- Documents supplied to or received by VPCM by an external organisation or individual.

What documents could be exempt from disclosure under the Act?

The Act allows VPCM to refuse access to certain documents or information, such as:

- Cabinet documents.
- Documents which, if disclosed, would prejudice relations between the State and the Commonwealth or any other State or Territory or would divulge information communicated in confidence.
- Documents which, if disclosed, could cause damage to the security of the Commonwealth or a State or Territory, the defence of the Commonwealth or international relations.
- Material generated internally within VPCM for consideration and deliberative purposes, the disclosure of which would be contrary to the public interest.
- Documents which, if disclosed, could affect or prejudice the proper conduct of enforcing, investigating or administering the law and associated processes.
- Documents covered by legal professional privilege, such as legal advice.
- Documents containing personal information about other people where the disclosure of that information would be unreasonable.
- Documents about trade secrets, or other information of a business, commercial or financial nature, provided to VPCM by a business, and disclosure would be likely to expose that business unreasonably to disadvantage.
- Documents containing trade secrets of VPCM, or information relating to VPCM of a business, commercial or financial nature, and disclosure would be likely to expose VPCM unreasonably to disadvantage.
- Documents containing information provided to VPCM in confidence, where disclosure would be reasonably likely to prejudice the future ability of VPCM to obtain similar information.
- Documents which, if disclosed, would be reasonably likely to have a substantial adverse effect on the Victorian economy or would disclose the internal processes of an agency.
- Documents containing information of a type which other legislation specifically prohibits particular persons disclosing.

How to make a request

Applications for information under the Act must:

1. Be made in writing and addressed to:

Freedom of Information Officer
Victorian Ports Corporation (Melbourne)
GPO Box 261
Melbourne Vic 3001

Applications can be submitted by email to: foi@vicports.vic.gov.au

2. Be sufficiently clear to enable VPCM to conduct a thorough and constructive search for the documents sought.
3. Be accompanied by a \$29.60 application fee or provide evidence that payment be waived because paying it would cause hardship.

The application fee can be paid by cheque or direct transfer. For direct transfer, please contact VPCM for bank account details.

If your request does not satisfy any of the above requirements, it cannot be processed under the Act. VPCM will provide reasonable assistance to assist you in making a request that satisfies the requirements of the Act.

Processing the request

Once VPCM has received a valid request, a decision on whether to grant access to the documents will be provided within the time limit stipulated in the Act. This is normally 30 days, but longer time limits are permitted in certain circumstances. A decision may be made to grant access to all documents, some documents, parts of documents, or no documents. If a decision is made not to grant access to one or more documents or parts of documents, VPCM will notify you of your rights.

If it is decided to release the documents, arrangements will be made for access, being either supply of photocopies of the documents, supply of electronic copies of the documents or inspection of the documents at VPCM's offices. The form of access may be nominated by the person making the request.

Access charges calculated in accordance with the Act and the *Freedom of Information (Access Charges) Regulations 2014* must be paid before access to the documents may be granted (except in limited circumstances set out in the Act). If the access charges are likely to exceed \$50.00 VPCM will seek a deposit from you and will notify you in writing of the anticipated total access charges, the deposit amount required to continue processing the request, and to enquire as to whether you wish to continue with your request.

Processing costs that may be charged by VPCM for the financial year 2020-21 are as follows:

- Search charges for locating the documents – \$22.20 per hour
- Supervision charges for inspection of the documents – \$22.20 per hour (to be calculated per quarter hour or part of a quarter hour)
- Photocopying charges for copies of the documents – 20¢ per black and white A4 page.

For more information please contact

Freedom of Information Officer
Victorian Ports Corporation (Melbourne)
GPO Box 261
Melbourne VIC 3001

Tel: +61 3 8347 8300

Email: foi@vicports.vic.gov.au