

# Right to Information Act | *Right of Review*

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## *Review of Decision*

If an applicant is not satisfied with the decision made by the council staff member delegated to assess the application under the *Right to Information Act*, the applicant may apply for an internal review, or 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 the initial application and consider any issues raised, and will determine the information that is able to be accessed by the applicant.

## *How do I apply for an internal review?*

**Internal review is optional.** It is not necessary to apply for an internal review of the decision before applying for an external review. If an applicant wishes to apply for an internal review, they must:

- Make an application in writing
- Lodge an application within 20 business days of receiving the decision letter
- Send written applications to:  
The Chief Executive Officer  
Mackay Regional Council  
PO Box 41  
Mackay Qld 4740  
Fax: 07 49442 400  
Email: [council@mackay.qld.gov.au](mailto:council@mackay.qld.gov.au)

An application for review may contain the reasons the applicant disputes the original decision.

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

## *What is an external review?*

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

The Information Commissioner will conduct a merits based review of the decision made under the *Right to Information 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 *Right to Information 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 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?*

To apply for external review, the applicant must:

- Make application in writing, giving details of the decision for review.
- Lodge the application within 20 business days of receiving the decision letter.
- Send written application to:  
Office of the Information Commissioner  
PO Box 10143  
Adelaide Street  
BRISBANE QLD 4000  
Fax: 07 3405 1122  
Email: [enquiries@oic.qld.gov.au](mailto:enquiries@oic.qld.gov.au)

An application for external review may give details of the basis on which the applicant disputes the decision made by the Mackay Regional Council.