



Frequently asked questions for citizens: Informal release of information

Fact sheet
February 2018

The *Government Information (Public Access) Act 2009* (GIPA Act) allows agencies to release information to you in response to an informal request.

This fact sheet is designed to address issues or questions you may have when considering asking for information from an agency informally.

An advantage for agencies and citizens is that an informal request for information can facilitate and encourage access to government information promptly and at the lowest reasonable cost.

1. What does releasing information informally mean?

Releasing information informally means that an agency can give you information in response to your request, without requiring you to make a formal access application under Part 4 of the GIPA Act.

This means that:

- you may receive the information more quickly,
- you do not have the right to have the agency's decision reviewed,
- the agency can impose conditions on the release of information to you including how you can access the information,
- you do not need to pay an application fee.

2. How do I request information informally?

In making a request for information you should be as clear as possible, so the agency understands what information you are seeking from them.

You don't need to use a particular form to request information informally.

However, some agencies have developed request forms for informal applications. This assists the agency in understanding what government information you are seeking, and your reasons for asking for that information.

It also helps the agency to understand the types of information that people are interested in, allowing the agency to consider releasing more of that information proactively.

3. Do agencies have to provide all of the information requested?

If an agency decides to release information informally, it must first assess whether there is an overriding public interest consideration against disclosure¹. This means that some information you asked for may not be given to you because, for example, it contains another person's personal information.

Information involving other people may mean part of the information is redacted or withheld by the agency. This allows the agency to release the remainder of the information to you, rather than refusing to provide any of the information you have requested.

4. Can the agency charge me for information released informally?

The GIPA Act does not provide for agencies to charge for information released informally.

5. How soon will I get my information?

The GIPA Act does not provide any statutory timeframes for dealing with, or deciding informal access applications.

Agencies must deal with informal requests for information in such a way that facilitates and encourages promptly access to government information promptly and at the lowest reasonable cost.²

6. Can the agency impose conditions on the release of information?

An agency may release information to you subject to any reasonable conditions the agency thinks it should impose.³

An example of a condition on release of information could be that an agency releases CCTV footage to media organisations subject to those media organisations pixelating all images of individuals who may be identified in the footage. Another example is that an agency may release information on a confidential basis.

¹ Section 8(1) GIPA Act

² Report on the operation of the GIPA Act 2009 2015-2016, page 26

³ Section 8(2) GIPA Act

It is for the agency to decide what conditions it may wish to impose in releasing the information to you. If you do not accept the conditions they do not have to release the information.

7. Can the agency decide how information is released to me informally?

Yes, an agency is able to decide how information may be released to you.⁴ For example, although you asked for copies of information, the agency may decide that you may inspect the information, but not take copies.

8. Can the agency be required to consider my request for information?

No, there is no requirement under the GIPA Act for an agency to consider an informal request for information⁵. Can the agency ask me to make a formal application for information?

An agency may suggest that you make a formal access application for the information you are interested in. A formal access application requires the agency to consider your request in depth, assist you with the application⁶; provide written reasons for the decision and provides you with review rights if you are dissatisfied with the decision.

9. Do I have a right to seek a review of the agency's decision not to give me information?

No. The GIPA Act does not provide a right of review where you have asked for information informally.

10. What can I do if I am unhappy about the way an agency has handled or responded to my informal request for information?

If you are dissatisfied about the response you have received from an agency following an informal request for information, you may wish to make a formal access application or make a complaint to the agency or the Information Commissioner.

[Further information about the formal access application pathway is available on the IPC's website.](#)

For more information

Contact the Information and Privacy Commission NSW (IPC):

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

ⁱThe IPC acknowledges the materials published by the Office of the Information Commissioner, Queensland in the production of this fact sheet.

⁴ Section 8(4) GIPA Act

⁵ Section 8(3) GIPA Act

⁶ Section 16 and 52 GIPA Act