



Office of the Information Commissioner
Queensland

Information Sheet

INFORMATION SHEET – *Right to Information Act 2009* and *Information Privacy Act 2009*

Applying for financial hardship as an individual

If you apply to access documents under the *Right to Information Act 2009* (Qld) (RTI Act) there may be processing and access charges. If you apply under the *Information Privacy Act 2009* (Qld) (IP Act) there may be access charges.¹

If you hold one of three specific concession cards², you can apply to have these charges waived.

Can the application fee be waived?

The application fee for RTI applications can never be waived³, only processing and access charges.

Which concession cards are accepted?

In order for an agency⁴ to waive charges under the RTI Act or IP Act, you must hold one of the following concession cards issued by the Department of Human Services or the Department of Veterans' Affairs:⁵

- Department of Human Services Health Care Card
- Department of Human Services Pensioner Concession Card
- Department of Veterans' Affairs Pensioner Concession Card

The card must be current. Images of the cards are reproduced at the end of this information sheet.

How do I apply to have the charges waived?

The simplest way to apply is to make the request—and send a copy of your concession card—with your application. You can do it any time during the application process, but it will be easier if you do it at the beginning. You can make the request by writing this on a copy of your concession card and sending it to the agency:

I am requesting a waiver of all processing and access charges for my application.

¹ Refer to [How do I apply for government documents?](#) for information on how to apply.

² A 'holder' of a concession card is someone who is **named** on the concession card and is qualified to be named on the concession card at the time it is being relied on (including as a dependant).

³ Section 24(4) of the RTI Act.

⁴ In this information sheet, references to an 'agency' include Ministers, unless otherwise specified.

⁵ Section 66 of the RTI Act.



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What are processing and access charges?

Processing charges are the costs related to the time it takes the agency to process an RTI application. If it takes less than 5 hours they will not apply. There are no processing charges for applications under the IP Act.

Access charges are what it costs the agency to give you access to the documents. For example standard black-and-white photocopies of the documents cost 25 cents per A4 page (this cost is set by the Acts).

There are no access charges if you access the documents electronically, for example via email or on disc.

Can someone with a concession card make the application for me so I don't have to pay the charges?

No. If the agency believes that an applicant is making an application for someone else, so they don't have to pay the charges, the agency can refuse to waive the charges.

Can I apply for a waiver if I am making an application for my child?

If you are making the application *for* your child then the child is considered to be the applicant, not you. In order to have the charges waived, your child would need to be named on the concession card. You cannot apply to have the charges waived for your child with your own concession card if only you are listed on it.

How will I know if the charges have been waived?

The agency will tell you before the end of the processing period⁶ whether your application for waiver has been granted.

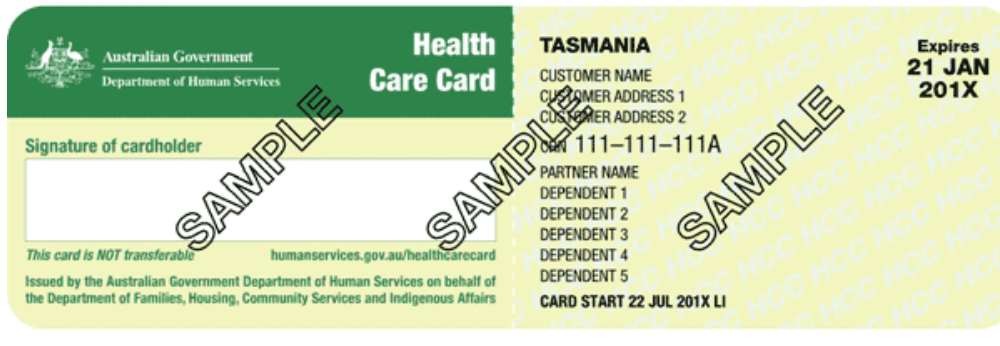
If the agency decides to refuse your application for waiver then you may seek a review of that decision: either an internal review from the agency or an external review to the Office of the Information Commissioner. Refer to [Explaining your Review Rights](#) for more information.

⁶ The processing period is the time that the agency has to process your application. It is usually 25 business days, but can be extended in some circumstances.

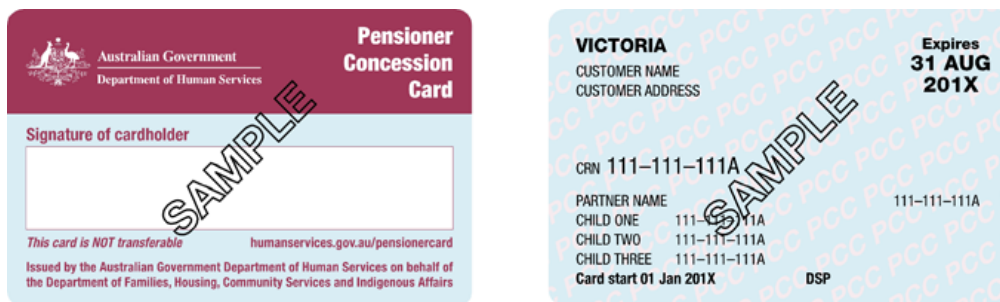


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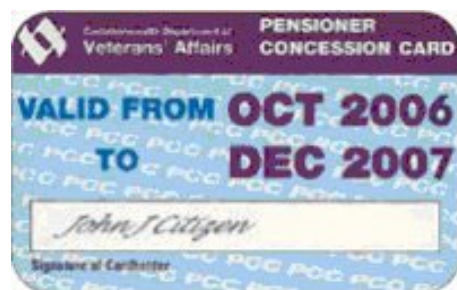
Department of Human Services Health Care Card



Department of Human Services Pensioner Concession Card



Veterans' Affairs Pensioner Concession Card



For additional information and assistance please contact the Enquiries Service on 07 3234 7373 or email enquiries@oic.qld.gov.au.

This information sheet is introductory only, and deals with issues in a general way. It is not legal advice. Additional factors may be relevant in specific circumstances. For detailed guidance, legal advice should be sought.

If you have any comments or suggestions on the content of this document, please submit them to feedback@oic.qld.gov.au

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Changes to legislation after the update date are not included in this document