



Amendment of personal information

If you are concerned that an agency holds information about you that is inaccurate, incomplete, out of date or misleading, you should first contact the agency to discuss whether it will correct that information without the need for you to make a formal application under the FOI Act.

If you are not satisfied with the agency's response, [section 45](#) of the FOI Act provides that you can apply to the agency for amendment of personal information about yourself that is contained in a document of the agency if the information is inaccurate, incomplete, out of date or misleading.

Under [section 46](#), an application for amendment of personal information must:

- be in writing;
- give enough details to enable the document that contains the information to be identified;
- give details of the matters in relation to which you believe the information is inaccurate, incomplete, out of date or misleading;
- give your reasons for holding that belief;
- give details of the amendment you wish to have made (specifying whether you wish the amendment to be made by altering, striking out or deleting the information or inserting a note in relation to information);
- give an Australian address to which notices can be sent; and
- be lodged at the office of the agency that holds the documents.

Your application for amendment should include some information or evidence to establish that the personal information you seek to have amended is inaccurate, incomplete, out of date or misleading as you claim.

There are no fees or charges associated with an application for amendment of personal information under the FOI Act.

The agency must give you a written notice of decision on your application for amendment within 30 days of receiving a valid application or within such time as agreed between you and the agency.

Note: The FOI Act does not allow an agency to obliterate or remove information or destroy a document without written certification from the Information Commissioner in accordance with [section 48\(3\)](#) of the FOI Act.

Requests for a note disputing the accuracy of a document

If the agency refuses your application for amendment of information, you can request the agency to make a notation or attachment to the information under [section 50](#). The agency has to comply with the request unless it considers that the requested notation or attachment is defamatory or voluminous. If the agency decides not to comply with your request it has to give you a written notice of decision.

Applications by a deceased person's closest relative

The FOI Act also provides that a deceased person's closest relative has the right to apply for amendment of personal information about the deceased person ([section 45\(2\)](#)).

Review of an agency's decision

If you are dissatisfied with the agency's decision made under section 48 or section 50, you can apply to the agency for internal review. If you are dissatisfied with the agency's internal review decision, you can apply to the Information Commissioner for external review.

The Information Commissioner has published a number of decisions in relation to applications for amendment of personal information. The following decisions may assist you to understand the operation of sections 45 to 53 of the FOI Act:

[Re 'B' and Armadale Health Service \[2007\] WAICmr 4](#)

[Re 'B' and Bentley Health Service \[2008\] WAICmr 15](#)

[Re Mallet and Edith Cowan University \[2008\] WAICmr 13](#)

If you have any general enquiries about the FOI process, please see our website or contact our office.

Note: This Information Sheet is intended as a general guide only and should not be viewed as legal advice. The Information Commissioner considers each complaint on its merits and according to the relevant circumstances.

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