



Is FOI my best option?

If you want access to government documents, an FOI application may not be your best option, at least as a first step. Here are some reasons.

An agency may be prepared to provide documents to you outside the FOI process. Some agencies have policies that allow them to routinely give people access to particular documents or kinds of documents. The access rights under the FOI Act do not apply to documents that are already publicly available ([section 6](#)).

If a document is available outside the FOI process you are likely to obtain the document faster and possibly at a lower cost. An agency is required to deal with an FOI application as soon as is practicable and in no more than 45 days. An agency can also require you to pay a \$30 fee to make an FOI application, as well as prescribed charges for dealing with your application, except if you are applying for your own personal information. Documents sought under FOI are also subject to the exemptions in the FOI Act which means you may not obtain the documents at all or may end up with heavily edited copies of the documents.

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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