



# What happens in an external review?

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A person who is dissatisfied with an agency's decision on internal review may lodge an application for external review with the Information Commissioner (see page 98 of the [FOI Coordinators Manual](#)). An application for external review is also called a complaint.

When a valid complaint has been received, the Commissioner notifies the agency and asks the agency to produce the relevant documents to the Commissioner for review.

The Commissioner attempts to resolve complaints informally and by conciliation wherever possible. If a complaint cannot be resolved in this way, the Commissioner usually issues a formal decision that confirms, varies or sets aside the agency's decision. In some cases, the Commissioner may stop dealing with a complaint if the Commissioner considers that it is lacking in substance.

An agency is required to give effect to the Commissioner's decision subject to appeal to the Supreme Court on a question of law ([section 85](#)).

For information about the procedures adopted in an external review and what is expected of the parties to a complaint, see the publication [Complaints Procedure](#).

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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