## 15 Third party consultation – Notice to third party

[Date]

Our reference: [agency reference]

[Name]
[Address]
Via email only: [Email address]

Dear [Name]

**THIRD PARTY CONSULTATION UNDER THE *FREEDOM OF INFORMATION ACT 2016***

I am writing to tell you that our agency received an access application under the *Freedom of Information Act 2016* (**FOI Act**) on [date received].

As information relating to [your personal information or the business affairs of *name of business*] is within the scope of the application, I am required to consult with you about this matter.

The information is [attached or extracted below if it is not possible to attach the information (i.e. because it also contains information regarding other third parties or the FOI applicant which cannot be easily redacted)] (**Attachment A**).

*Opportunity to make a submission*

I invite you to tell me of any objection [you/name of business] may have to the disclosure of any of the [attached/extracted] information.

If [you/name of business] object, it is important that you explain why and what impact disclosure could have on [you/your business]. Supporting evidence may also be helpful.

You should be aware that information will be released unless it is found to be contrary to the public interest information under the FOI Act. This will be the case if the decision-maker decides that:

* it falls within one of the categories of information included in Schedule 1 of the FOI Act, or
* when considering the factors for and against disclosure outlined in Schedule 2, on balance, it would be contrary to the public interest to release the information.

I have included copies of Schedules 1 and 2 of the FOI Act which you may wish to consider when explaining any objections (**Attachment B**). Further information about these Schedules are available in the Guidelines issued by the ACT Ombudsman, available at [insert link].

*What will happen then*

While your comments will be taken into account, the final decision about whether to release the information rests with the decision-maker in our agency.

If the decision-maker decides to disclose the information contrary to your submissions, we will give you written notice of the decision and you will have the opportunity to seek a review of the decision by the ACT Ombudsman before that information is disclosed.

*Disclosure log*

Please note that section 28 of the FOI Act requires publication of access applications and any information subsequently released on our disclosure log [insert link].

This means that if access to the information is granted, it will also be made publicly available on our website unless the access application is an application for your personal, business, commercial, financial or professional information.

*How to make your submission*

Please send us your comments in writing by [insert date] to [positional email] or [postal address]. If no response is received by this date, the decision-maker will assume you do not object to the release of the information.

If you have any questions in relation to this matter, please contact me on [insert telephone number] or email [insert positional email address].

Yours sincerely

[INSERT SIGNATURE BLOCK]