[Insert agency letterhead]

[Date]

Ref: [agency reference]

[Applicant name]

**By email: [insert email]**

Dear [Name]

**Your freedom of information request**

I refer to your correspondence dated [insert date] in which you requested:

*[Insert the terms of the request]*

You are making a request under the *Freedom of Information Act 1982* (Vic) (**FOI Act**), however at this time your request is not valid under section 17 of the FOI Act because [explain why the request is not valid: you have not paid the application fee of $XX.XX **AND/OR** it is not clear and specific enough for us to identify the document[s] you have requested].

This means we cannot start processing your request until you [pay the application fee or request a fee waiver **AND/OR** give us more information about your request].

[Use the below section if the applicant has not paid the application fee, otherwise delete]

**Paying the application fee**

To proceed with your request, please pay the application fee of $XX.XX by [bank cheque/money order/bank transfer/credit card/cash].

Outline the payment methods your agency uses to process FOI application fees. The payment methods an agency offers must comply with *Professional Standard 2.2*, which outlines an agency requiring payment of an application fee must take reasonable steps to provide options for payment of that fee in line with accepted payment methods the agency provides for other services of a similar financial sum.

**Requesting a fee waiver or reduction**

If paying the application fee would cause you hardship, you may ask us to waive or reduce it. To do this, please provide supporting information so we can assess your eligibility for a fee waiver or reduction.

Supporting information may include a copy of a current concession or health care card, a bank statement, or statutory declaration outlining why paying the application fee would cause you hardship. If you are not sure what information to provide, please contact us to discuss further.

[Use the below section if the request is not valid and requires clarification, otherwise delete]

**Your request requires clarification**

For your request to be valid under section 17 of the FOI Act, it must provide enough information about the document[s] you asked for so we can properly identify [it/them].

If the terms of a request are not sufficiently clear, it will not comply with section 17 of the FOI Act and we cannot process it.

At this time, your request is not sufficiently clear because [insert reasons why the request is not clear and specific enough].

Explain why the request is not clear or specific enough. For example, is the date range too broad? Is the request too vague? If so, explain why.

If you think you know what the applicant is looking for, you may consider listing the relevant documents they appear to be looking for and ask them to confirm if that is correct.

Then, outline how the applicant may clarify their request so it can be processed. You may need to refer to specific parts of the applicant’s request depending on what parts are not clear. Where practicable, provide suggested wording for the request to assist the applicant. Remember, *Professional Standard 2.4* requires you to provide the applicant with reasonable advice and assistance on how to make a valid request.

You may consider calling the applicant for this consultation stage, as it may be quicker and reduce formality.

**What you need to do**

[Use the two paragraphs belowif the applicant has not paid the application fee, otherwise delete]

Please pay the application fee of $XX.XX using the payment method outlined above, or, provide evidence of hardship for a fee waiver or reduction by [insert date no earlier than 21 days from date of this letter].

If you have any questions about the application fee or requesting a fee waiver or reduction, please contact us on [insert contact details].

**[**Use the two paragraphs belowif the request is unclear, otherwise delete]

Please [also] clarify your request so we can process it. Please call us on [insert telephone number] or email us at [insert email address] by [insert date no earlier than 21 days from date of this letter] to clarify the terms of your request further.

Under *Professional Standard 2.5*, an agency must provide a minimum of 21 days for the applicant to:

* pay the application fee;
* provide evidence of hardship;
* begin consulting with the agency; or
* otherwise make the request compliant with section 17 of the FOI Act.

If we do not hear from you by this date, we may close your request without processing it. If we close your request without processing it, you will need to make a new request if you wish to access the document[s].

If you have any questions, please also contact us on [insert telephone number] or email us at [insert email address] and quote [agency reference].

Yours sincerely

[Name of officer]
[Position title]