



What if there are many third parties to consult?

If the documents being sought contain information about a large number of third parties, the agency should seek to negotiate a mutually satisfactory outcome with the access applicant, for example by agreeing that information about third parties is not being sought.

If this is not successful, an agency may apply to the Information Commissioner for approval to make its decision on whether to give access to the relevant documents without complying with sections [32](#) or [33](#) of the FOI Act – that is, without seeking the views of third parties. This is also called an application for a waiver.

Approval may only be given if the Commissioner is satisfied that:

- it would be unreasonable to require the views of third parties to be obtained having regard to the number of third parties that would have to be consulted; and
- the document does not contain matter that is exempt matter under clause [3](#) or [4](#) of Schedule 1 to the FOI Act.

For information about the requirements of an application for a waiver, see the [FOI Coordinators Manual](#).

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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