



Australian Government

Department of Immigration
and Citizenship

Request for amendment or annotation to personal records

Form
424C

Important – Please read this information carefully before you complete the request. Once you have completed your request we strongly advise that you keep a copy for your records.

Your rights

Under the *Privacy Act 1988* (the Privacy Act) the Department of Immigration and Citizenship (the department) is required to ensure that records containing personal information are accurate. In addition, the *Freedom of Information Act 1982* (the FOI Act) gives you the right to:

- ask for your personal information to be changed or annotated (a note put with your records giving your views) if it is incomplete, incorrect, out of date or misleading and which has or had an administrative purpose; and
- seek a review of a decision not to change your personal record.

Where possible the department will amend your records in accordance with the Privacy Act. Where this is not possible we will treat your request as a request for amendment or annotation under the FOI Act.

What information can I have amended

The FOI Act allows for the department to amend a document in the possession of the agency. This includes electronic records of your identity and the physical files held by the department.

The amendment provisions of the FOI Act do not extend to documents not in the possession of the agency, such as a Citizenship Certificate. Under the *Australian Citizenship Act 2007* it is an offence to alter an evidence of Australian citizenship. If you have lawfully changed your name and wish to have your evidence of Australian citizenship reflect the new details, you will need to apply for a new evidence of Australian citizenship by completing and lodging form 119 *Application for evidence of Australian citizenship* with the appropriate fee and supporting documentation. You can download form 119 from the department's website www.immi.gov.au

If you believe that the information on your evidence of Australian citizenship is incorrect, incomplete, out of date or misleading, you can apply to have your personal information in departmental databases amended under the FOI Act. If your request is approved you can then apply for a new evidence of Australian citizenship as above.

How to make a valid Freedom of Information (FOI) request to amend or annotate

To make a valid FOI request, you must:

- put your request in writing. You can use the attached form, or send a letter detailing your request either by post or e-mail;
- identify departmental information or documents containing your personal information which is incomplete, incorrect, out of date, or misleading;
- provide reasons why you believe this information is incomplete, incorrect, out of date or misleading;
- include an address to which notices or information may be sent; and

- to assist the department to process your request, provide as much supporting evidence and original documentation as possible (see *Supporting evidence* on the next page for further information).

To assist us in processing, please include a separate form for each person who wants to amend or annotate their records.

If you do not have an Australian postal address, please provide an e-mail address by which the department is able to contact you.

How to make a FOI request to access documents or information

Under the FOI Act you also have a right to request access to copies of documents held by the department. To make a FOI request to obtain copies of documents you can use form 424A *Request for access to documents or information*, available from the department's website www.immi.gov.au or at the nearest office of the department.

Where do I send my request?

The department processes FOI requests in Melbourne and Sydney.

If you live in Victoria, Western Australia, South Australia, the Northern Territory or Tasmania, please send your request to:

Freedom of Information Melbourne
Department of Immigration and Citizenship
GPO Box 241
MELBOURNE VIC 3001

E-mail: foi.vic@immi.gov.au

If you live in New South Wales, Queensland or the Australian Capital Territory, please send your request to:

FOI and Subpoenas
Department of Immigration and Citizenship
GPO Box 9984
SYDNEY NSW 2001

E-mail: foi.nsw@immi.gov.au

If you currently live overseas please send your request to:

FOI and Privacy Policy Section
Department of Immigration and Citizenship
PO Box 25
BELCONNEN ACT 2616
AUSTRALIA

E-mail: foi@immi.gov.au

Can someone else make a FOI request for me?

If you ask someone else, such as a friend or migration agent to make a FOI request for you, you will need to provide written authority so we can talk to them about your request and send them the decision.

If you change your friend or migration agent, it is important that you advise us.

If you nominate a friend or migration agent to act on your behalf, you must fill in Part C of this form. All notices regarding your FOI request will be sent to them.

Proof of identity

To ensure your records are securely maintained you should attach a certified copy of photographic identification such as a passport or driver's licence. If you are acting on behalf of another person, including a child under 18 years of age, please include their photographic identification.

Will there be a charge for amending my records?

No. There are no charges for requesting an amendment or annotation of your records.

Processing times

Under the FOI Act the standard processing time is 30 days. The department may contact you should an extension of time be required. The department receives many FOI requests. We can respond to your FOI request more easily if we know what specific information or documents you want amended and when you need them.

Supporting evidence

The department takes its responsibilities to maintain complete, correct and up to date personal records very seriously. We are not required to take a client's claims for amendment at face value. It is in your interest to provide as much evidence as possible to support your claim. Good examples of evidence include birth certificates, travel documents, marriage certificates, employment or education records and statutory declarations from people who are in a position to support your claim.

You should provide clear, certified copies or your original personal documents. If what you have provided is not clear and/or certified, or the FOI officer believes it may have been fraudulently altered, you may be asked to provide the original document to the department so that we can assess its authenticity.

Any documents in a language other than English must be accompanied by an English translation undertaken by a translator accredited by the National Authority for Translators and Interpreters (NAATI). For more information see www.naati.com.au

Possible legal implications

FOI applicants are advised that amendments to personal details, such as names or date of birth, may have other legal implications. For example in migration cases:

- if an applicant has previously provided incorrect information in a visa application, he or she may be liable to have that visa cancelled under the *Migration Act 1958*;
- changes in name details or details relating to family composition may affect an applicant's ability to sponsor others migrating to Australia;
- holders of refugee or humanitarian visas may have the visa checked for International Protection Obligations.

The department will only use information provided by an applicant where it is lawful to do so.

Compliments and complaints

Your compliments, complaints and suggestions are valuable to the department and will help improve our products and services. To provide compliments or complaints about any of the department's services, you can:

- contact the Global Feedback Unit, telephone **133 177** (toll free in Australia) during business hours;
- visit the department's website www.immi.gov.au; or
- contact the nearest office of the department or Australian mission overseas.

The Australian Information Commissioner

If you are not happy with how the department has handled your request, you can contact the Australian Information Commissioner in the following ways.

Online: www.oaic.gov.au

In writing: GPO Box 2999
CANBERRA ACT 2601

Telephone: 1300 363 992 (local call charge)

About the information you give

The department's storage, use and disclosure of the information you provide in this form is governed by the *Privacy Act 1988*. For more information about this, see information form 993i *Safeguarding your personal information*, available on the internet or at any office of the department.

The department is authorised under the *Migration Act 1958*, in certain circumstances, to collect a range of personal identifiers including a facial image, fingerprints and a signature from non-citizens. The department requires personal identifiers to assist in assessing your identity. The department is authorised to disclose your personal identifiers and information relating to your name and other relevant biographical data to a number of agencies including law enforcement and health agencies and to other agencies who may need to check your identity with this department. Where the department obtains personal identifiers they will become part of your official record with the department.

The department is involved in international information exchanges with a number of countries, including the United Kingdom, the United States of America, Canada and New Zealand. These international information exchanges may involve the sharing of personal identifiers, including facial images and fingerprint data, collected by immigration agencies such as this department. If, as a result of this sharing between countries, there is a match with your personal identifiers, the department will disclose your biographical data, copies of travel and other identity documents or information from such documents, your immigration status and immigration history (which may include any immigration abuse and offences) and any criminal history information relevant to immigration purposes. The purpose of such disclosure would be to help confirm your identity and determine if you have presented to the department and the other agency under the same identity and with similar claims.

For more detailed information you should read information form 1243i *Your personal identifying information*, which is available from the department's website www.immi.gov.au/allforms/ or from any office of the department or Australian mission overseas.

Further enquiries

If you have an enquiry, please telephone 131 881 (toll-free within Australia) and ask to be directed to the Information Contact Officer in your state or territory or e-mail the relevant office on page 1. For general information on FOI you should visit the Australian Information Commissioner's website.

Home page www.immi.gov.au

General enquiry line Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours). If you are outside Australia, please contact your nearest Australian mission.

Please keep these information pages for your reference



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Please use a pen, and write neatly in English using BLOCK LETTERS.

Tick where applicable

Part A – Your details

If you are completing this form for a third party or a child under 18 years of age, provide their details at Part A.

1 Title Mr Mrs Miss Ms
 Other

2 Full name
 Family name
 Given names

3 Have you been known by any other names?
(including name at birth, previous married names, aliases)
 No
 Yes Give details
 Family name
 Given names

4 Date of birth DAY MONTH YEAR
 / /

5 Any of the following numbers, if known, would assist us to more quickly locate your records
 Client ID number (CID)
 Client file number (CFN)
 Permission Request ID Number (PRID)

6 Your signature

Date DAY MONTH YEAR
 / /

Note: Please attach proof of identity as specified on the information pages.

7 Your postal address

 POSTCODE

Note: If you do not have an Australian postal address, please provide an e-mail address by which the department is able to contact you. See Question 9 below.

8 Your telephone numbers
 Office hours COUNTRY CODE AREA CODE NUMBER
 () ()
 After hours COUNTRY CODE AREA CODE NUMBER
 () ()
 Mobile

9 Preferred method of communication
 E-mail E-mail address

 Post
 Fax Fax number
 COUNTRY CODE AREA CODE NUMBER
 () ()

10 Do you need an interpreter?
 No
 Yes Language

11 Urgency (optional) – Please advise if there are any reasons you need your request actioned before the 30 day statutory timeframe.
 Reason for urgency

Date you require information by DAY MONTH YEAR
 / /

