



Australian Government

Department of Home Affairs

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 Home Affairs (the Department) is required to ensure that records containing personal information are accurate, up-to-date and complete. Where possible the Department will correct your records in accordance with the Privacy Act.

In addition, the *Freedom of Information Act 1982* (the FOI Act) gives you the right to:

- ask for your personal information to be amended or annotated (a note put with your records giving your views) if it is incomplete, incorrect, out of date or misleading and which has or had an administrative purpose; and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.

A number of administrative arrangements have been set up by the Department for correction under the Privacy Act. Please refer to the next section for further information about the forms you should use.

Requests received on form 424C will be referred for processing in accordance with the Privacy Act by the relevant business area where such arrangements exist. Where there is no such arrangement in place, your request on this form will be processed in accordance with the FOI Act.

If your request under the Privacy Act is refused, you can make a separate request under the FOI Act by completing a further form 424C.

What information can you have amended?

The Privacy Act and FOI Act allow 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 Privacy Act and FOI Act do not extend to documents not in the possession of the agency.

Note for Australian citizens:

Under the *Australian Citizenship Act 2007* it is an offence to alter an evidence of Australian citizenship. If the name and/or date of birth on your citizenship certificate is incorrect or has changed since you acquired your Australian citizenship and you wish to obtain a new evidence of citizenship with your correct or changed biographical information, you can apply for Evidence of Australian citizenship online at

<https://online.immi.gov.au/lusc/login>

Please read the information available on the Department's website <https://immi.homeaffairs.gov.au/citizenship/certificate/correct-details-on-certificate>

Note for non-Australian citizens:

Updating your address and/or passport details

To advise the Department of new contact details, such as a change of residential address, or provide details of your updated passport, please refer to the Department's website

<https://immi.homeaffairs.gov.au/change-in-situation>

Advising of changes in circumstances or incorrect answers given

If you have a pending visa application, you must advise the Department of any changes in your circumstances that affect any answer to a question in your application. To do that, you must complete and submit form 1022 *Notification of changes in circumstances*. If you have supplied any incorrect information in your answers, you must advise the Department. To do that, you must complete and submit form 1023 *Notification of incorrect answer(s)*. You can download form 1022 and form 1023 from the Department's website www.homeaffairs.gov.au/allforms/

Special note for ImmiCard holders and Refugee and Special Humanitarian Program visa holders:

Corrections to personal information for ImmiCard holders and Refugee and Special Humanitarian Program visa holders are no longer actioned under the FOI Act in the first instance. Requests are actioned under Australian Privacy Principle (APP) 13 of the Privacy Act.

If you believe the details on your ImmiCard or a Document for Travel to Australia (DFTTA) are incorrect and you have documentary evidence to support the change, please submit a *Request to amend personal details* form available on the Department's website

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms>

How to make a valid request to amend or annotate

You can request amendment to your personal information using our online form at

<https://www.homeaffairs.gov.au/help-and-support/departmental-forms/online-forms/foi>

You can also put your request in writing, by using the attached form or by sending a letter detailing your request either by post or email.

To make a valid FOI request to amend or annotate, you must:

- 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; and
- include a current Australian postal address or email address to which notices of information may be sent.

To assist the Department to process your request, provide supporting evidence and certified copies of original documentation (see Supporting evidence on the next page for further information). If you are submitting an application for multiple persons, please include a separate form for each person who wants to amend or annotate their records.

Can someone else make a FOI request for you?

You may ask someone else, such as a friend or migration agent, to make a request for you. 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 request will be sent to them.

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

What will a FOI request cost?

There is no charge in respect of a request for, or the provision of, access to a document that contains personal information.

Proof of identity

To provide proof of your identity you should attach a certified copy of photographic identification such as a current passport or current drivers licence. If you are acting on behalf of another person, including a child under 18 years of age, please include their photographic identification.

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.

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

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.

Where to send your request?

You can make a request via the web enquiry form, use the attached form or send a letter detailing your request either by post or email.

For further information about how to apply online, visit the Department's website

<https://www.homeaffairs.gov.au/access-and-accountability/freedom-of-information/access-to-information>

- To apply via email send your request to:
Email: foi@homeaffairs.gov.au
- To apply via mail:
Freedom of Information Section
Department of Home Affairs
GPO Box 241
MELBOURNE VIC 3001

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.

Compliments and complaints

Your feedback is valuable to the Department and will help us to improve our services.

Feedback received by the Department is handled in accordance with the provisions of the FOI Act and the Privacy Act.

To provide compliments, complaints or a suggestion about any of the Department's services, you can:

- complete the feedback webform at www.homeaffairs.gov.au/feedback, or
- write to:
The Manager
Global Feedback Unit
GPO Box 241
MELBOURNE VIC 3001
AUSTRALIA

The Australian Information Commissioner

If you are not satisfied with how the Department has handled your request, you can contact the Office of the Australian Information Commissioner in the following ways.

Online: www.oaic.gov.au

Telephone: 1300 363 992 (local call charge)

Important information about privacy

The *Privacy Act 1988* contains 13 Australian Privacy Principles which regulate the way that the Department collects and handles personal information. Information about how the Department collects, uses and discloses personal information for its key functions can be found in form 1442i *Privacy notice*. More information about the Department's general information handling practices (including form 1442i) can be found in the Department's Privacy policy at <https://www.homeaffairs.gov.au/access-and-accountability/our-commitments/privacy>

Further enquiries

For general information on FOI you should visit the Australian Information Commissioner's website www.oaic.gov.au

Home page www.homeaffairs.gov.au



Request for amendment or annotation to personal records

Form
424C

Australian Government
Department of Home Affairs

Please open this form using Adobe Acrobat Reader.
Either type (in English) in the fields provided or print this form and complete it (in English) using a pen and 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, and your details at Part C or D.

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

Day Month Year

4 Date of birth

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)

Visa class evidence number

Boat ID

Day Month Year

First arrival date

Citizenship certificate number

Travel document number

6 Your signature



Day Month Year

Date

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 email address by which the Department is able to contact you. See Question 9 below.

8 Your telephone numbers
Country code Area code Number
Office hours () ()
After hours () ()
Mobile

9 Preferred method of communication
(Tick one box only)
Email Email address

Post

Note: This is how you will be advised of the decision.

10 Do you need an interpreter?
No
Yes Language

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

Day Month Year

Date you require information by

Note: You must complete and sign Part E of this form.

Part C – Consent for person to act

17 Do you want to authorise someone to act on your behalf (as outlined in the information pages)?

No **Go to Part D**

Yes Please complete the authorisation below

I hereby authorise (*full name of other person*)

Title: Mr Mrs Miss Ms Other

Family name

Given names

Migration Agent Registration Number (MARN)
(if this person is an Australian registered migration agent)

7 Digits

: : : : :

7 Digits

Legal Practitioner Number (LPN) : : : :

whose signature appears below, to act on my behalf, receiving all communications with regard to my FOI request

Address of other person

Telephone Country code Area code Number

Email address

Your signature

Date

Signature of other person

Date

18 Preferred method of communication
(Tick one box only)

Email Email address

Post

Note: This is how you will be advised of the decision.

Part D – Children under the age of 18 years

19 Do you want to amend information about child(ren), under the age of 18 years, in your role as parent or guardian?

No

Yes Please provide **your** details and sign the statement below

Your full name

Family name

Given names

Day Month Year

Date of birth

I certify that I have parental responsibility for the child named in Part A and that there are no Court orders or any other circumstances or causes which affect my parental responsibility for this child.

Your signature

Date

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

Part E – Declaration

20 WARNING: Giving false or misleading information is a serious offence.

I declare that:

- I am aware that any person who provides false or misleading information, or who deceives or misleads, or who presents a forged document to an Australian Government official, may be prosecuted.
- I have read the information contained in form 1442i *Privacy notice*.
- I understand the Department may collect, use and disclose my personal information (including biometric information and other sensitive information) as outlined in form 1442i *Privacy notice*.

Your signature

Date

Part F – Checklist

21 Please indicate the documents attached to this request.

Proof of identity – certified copies of current:

Passport

Drivers licence

Travel document

Other Please specify

Supporting evidence, as listed at Question 15

We strongly advise that you keep a copy of your request and all attachments for your records.