

Evidence Act Applications

Applying to inspect documents

If you are a party in **civil** legal proceedings, under section 134A of the *Evidence Act 1977* you can apply to Council to produce for your inspection documents that are relevant to an issue in the proceedings and are in Council's possession.

Inspection of documents is made by appointment only between 9am and 3pm Monday to Friday by prior arrangement. Please contact Legal Services on 075 5817530 for further information.

How to apply for copies of the documents

Your application for copies of documents held by Council must be made in writing, quoting Section 134A of the *Evidence Act 1977* or use Council's **Request for Information Evidence Act Application Form**.

Please include your full contact details so we can notify you as soon as possible. You can lodge your **Request for Information Evidence Act Application Form** and pay the **Evidence Act Inspection Fee** at any City Branch Office.

Your written application **must** be accompanied by a copy of your receipt for payment of the **Evidence Act Inspection Fee** and at least one of the following:

- a copy of pleadings of the proceeding to which you are a party or
- a copy of the Hearing Notice issued by the Court.

How much is the inspection fee and the copy charges?

Fees for inspection and copying documents are prescribed by the [Evidence Regulation](#) and this legislation is updated annually. The **Request for Information Evidence Act Application Form** includes advice about the current fees.

Can Council refuse to provide access?

Council may refuse to provide access because:

- the matter is a criminal proceeding
- request for documents is considered too wide in scope
- documents requested by you are not considered relevant to the proceeding
- it is unclear from your written request what documents you require

Restricted Use and Disclosure

Council supplies documents requested for a legal proceeding in accordance with Section 134A (3) of the *Evidence Act 1977*. Please note that the requested documents will be supplied to you on the condition that you only use or disclose copies of these documents for the purpose of the legal proceedings.

You may be held in contempt of court for disclosing documents obtained under the *Evidence Act 1977* and you use these documents for any other purpose.