Form 3

Extension of time to investigate a PID

**Contact us**

[**ombudsman.gov.au**](http://www.ombudsman.gov.au)

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**The Ombudsman has offices in:**

* **Adelaide**
* **Brisbane**
* **Canberra**
* **Melbourne**
* **Perth**
* **Sydney**

## Do I need to apply?

Investigations under the PID Act must be completed within 90 days of the disclosure being allocated to an agency unless the agency has been granted an extension of time. An investigation is complete when the agency has prepared the investigation report.

## Who can apply?

Both agencies and disclosers can apply for an extension of time. The Ombudsman may also provide an extension at its own initiative.

## When to apply?

Extension applications must be made at least **10 business days before the 90 day period expires**. The Ombudsman **cannot** grant an extension after the current investigation deadline has passed.

## How long should I ask for?

Agencies should use their best efforts to estimate the time they require to complete an investigation, and should provide clear information to support a request. Where possible, agencies should avoid multiple extension requests for the same investigation.

## Is there an extension limit?

No. The Ombudsman may grant an extension to allow for the proper finalisation of an investigation report. Although there is no limit to the time agencies may request, it is important that requests are reasonable. Agencies may wish to inform the discloser of the request prior to the Ombudsman making a decision and notifying both parties.

## How does the Ombudsman assess the request?

The Ombudsman will take into account all relevant information, including:

* the length of the extension sought
* the reasons for the extension
* the progress of the investigation
* the number of previous extension requests
* the discloser’s views on the request, if any.

The Ombudsman may decline to grant an extension request where an agency has not provided clear reasons for the request, or where the investigation appears to have been subject to unreasonable or unexplained delay.

## Do I need to contact the discloser?

The Ombudsman encourages agencies to communicate regularly with the discloser about the progress of an investigation and the need to seek an extension. Agencies must inform the discloser of the progress of an investigation as soon as practicable once an extension is granted. The Ombudsman will also separately inform the discloser of its decision. Please complete this form and send to the Ombudsman at **PID@ombudsman.gov.au**.

NOTE: if a *Notification of allocation decision* form has not been sent to the Ombudsman for this PID, please complete the Notification of Allocation [form](https://www.ombudsman.gov.au/Our-responsibilities/making-a-disclosure/Tools-and-Resources), and send to **PID@ombudsman.gov.au** immediately.

# Agency information:

|  |  |
| --- | --- |
| Agency name |  |
| Agency contact person for this extension request(name, email address and phone number) | *(Ombudsman correspondence will be sent to this person/email address)* |
| Current investigation end date | Click here to enter a date. |
| Date disclosure allocated for handling under the PID Act | Click here to enter a date. |
| Agency PID reference number |  |
| Ombudsman PID reference number (if the PID was allocated to your agency by the Ombudsman) |  |
| Date ‘*Notification of allocation decision form*’ sent to the Ombudsman  | Click here to enter a date. |

# Discloser details:

Agencies must provide the Ombudsman with the discloser’s contact details if the discloser has consented to their contact information being provided to the Ombudsman, as our Office is required to advise the discloser of our decision about a request for an extension.

|  |  |
| --- | --- |
| Discloser name (if known) |  |
| Discloser email and/or phone number |  |
| If discloser was anonymous, have they consented for their contact details to be provided to the Ombudsman? | Choose an item. |

# Extension request details:

|  |  |
| --- | --- |
| Estimated length of investigation provided to discloser  | *{See requirement under s50(1A) of the PID Act}* |
| Length of extension sought  | *{Provide number of days and completion date}* |
| Reason for extension | *{Provide reasons why the extension is sought}* |
| Action taken to progress investigation to date | *{Provide timeline of actions taken since allocation. If the request is for a further extension, provide timeline since the last extension}* |
| Details of previous requests for extensions that were sought from the Ombudsman for this matter | *{Provide details of previous extensions sought (e.g. date request made and granted}* |
| Have you informed the discloser you have requested an extension? | *{The Ombudsman encourages agencies to communicate regularly with the discloser about the progress of an investigation. This includes the need to seek an extension.}* |
| Has the discloser provided any comments about the extension request? | *{Provide details of any comments made by the discloser}* |

More information is available at **ombudsman.gov.au**.

Please note: This document is intended as a guide only. For this reason, the information should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. To the maximum extent permitted by the law, the Commonwealth Ombudsman is not liable to you for any loss or damage suffered as a result of reliance on this document. For the most up-to-date versions of cited Acts, please refer to the [Federal Register of Legislation](https://www.legislation.gov.au/Browse/ByTitle/Acts/InForce/0/0/Principal).