



**Australian
Competition &
Consumer
Commission**

Our ref: #57012
Contact officer: William Herron
Contact phone: 02 6243 1244
Contact fax: 02 6243 1210
Email: foi@accc.gov.au

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
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27 March 2015

Mr Scott Bridges

Via email to: foi+request-1012-30b01ce8@righttoknow.org.au

Dear Mr Bridges

Request for access under the *Freedom of Information Act 1982* (Cth)

I refer to your email of 10 March 2015 in which you request access, under the *Freedom of Information Act 1982* (the FOI Act), to the following:

'Documents and correspondence (including, but not limited to, emails, phone transcripts, reports, briefs, meeting notes) between the ACCC and Andrew Laming MP and/or his office, generated between 1 December 2014 and 10 March 2015, regarding Halal and/or religious food certification or related issues.'

Estimate of Charges

I am authorised to make a decision in respect of charges under s.23 of the FOI Act.

In accordance with section 29 of the FOI Act I have decided that you are liable to pay a charge in respect of the processing of your request. My preliminary assessment of that charge is \$91.27.

This estimate includes approximately 3 hours search and retrieval and 7 hours examining the relevant documents and preparing a decision. There are approximately 2 documents that fall within the scope of your request.

Please note, the estimated decision making time is significant as we expect that three third parties need to be consulted and the recommended allowance for this task is two hours per party.

As the charge exceeds \$25 a deposit of 25 percent of the estimate is required in order for your request to proceed.

D15/39165

Within 30 days of receipt of this notice you are required to either:

- (a) agree to pay the charge and forward the deposit; or
- (b) contend that the charge -
 - (i) has been wrongly assessed, or
 - (ii) should be reduced, or
 - (iii) should not be imposed, or both; or
- (c) withdraw your request.

If you agree to pay the charge as assessed above, you should forward the deposit of \$22.82.

The preliminary estimate of charges has been assessed in accordance with the *Freedom of Information (Charges) Regulations 1982*. You may be required to pay a higher charge if more work is involved than we anticipated, except where full access is not given to all of the documents sought. If the final charge is less than the estimate, you will only be liable for the lesser amount. **Please note you will be liable to pay the balance of the charge regardless of the decision made in relation to the documents relevant to your request.**

If you wish to contend that the charge should be reduced or not imposed as noted in (b)(i), (ii) or (iii) above, please note that the decision maker may only waive or reduce the amount of the charge for a proper reason including financial hardship and public interest in access. Consequently, you should give full reasons in support of any such claim.

If you fail to notify the ACCC in a manner mentioned in paragraphs (a), (b) or (c) above within 30 days of receipt of this notice it will be taken that you have withdrawn your request.

Timeframes

Please note that the statutory timeframe for processing your request will be placed on hold until such time as there is an agreed outcome on any applicable charges. Specifically, this means that in accordance with section 31, the 30 day limit for processing your request is suspended from the day that you receive this notice and resumes on either:

- (a) the day you pay at least the deposit sought; or
- (b) if applicable, the day on which this agency makes a decision not to impose a charge.

I would appreciate your advice as to whether or not you are agreeable to the ACCC advising the third parties of your identity as that question is frequently asked of the ACCC in the course of its consultations.

Publication of documents released under FOI

In accordance with section 11C of the current FOI Act, please be aware that any information released to you in response to your FOI request may be published on the ACCC's website (foi.accc.gov.au). Information relating to your identity or the personal, business, commercial, financial or professional affairs of yourself or others will not be published **if it would be unreasonable to do so**. The ACCC will not publish any exempt information.

Further detail on the FOI Act publication requirements can be found at foi.accc.gov.au.

If you would like to make comment in relation to the possible publication of your information (including your identity as the FOI applicant), or have any further questions, please contact me on (02) 6243 1244.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'WH', is positioned above the printed name.

William Herron
FOI Coordinator
ACCC Legal Group

ATTACHMENT

INFORMATION ON RIGHTS OF REVIEW OF COST ESTIMATE

1. Contention of Estimate

This cost estimate is only a preliminary assessment of expected charges at this time. Please note that the Australian Competition and Consumer Commission (ACCC) will only charge you for the time and postage actually spent processing your application, and that this estimate works as a cap of these charges.

If you do not agree with the cost estimate provided to you, please contact the ACCC within 30 days of receipt of this letter indicating whether you contend that the charge has been wrongly assessed, or should be reduced or not imposed (i.e. waiver of charge due to financial hardship or public interest in access), and the reasons for your contention.

Please send any correspondence to:

FOI Coordinator
Australian Competition & Consumer Commission
GPO Box 3131
Canberra ACT 2601

2. Complaint to the Information Commissioner

Pursuant to section 29(9)(b) of the FOI Act, you may complain to the Information Commissioner regarding the ACCC's actions in connection with the cost estimate prepared in relation to your FOI request.

You must lodge your complaint in writing and do so in one of the following ways:

Online: www.oaic.gov.au

Post: GPO Box 5218, Sydney NSW 2001

Fax: +61 2 9284 9666

Email: enquiries@oaic.gov.au