



Australian
Competition &
Consumer
Commission

Our ref: #57013
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28 April 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.'

Fee Waiver

Section 29(4) of the FOI Act permits the ACCC to decide that FOI processing charges be reduced or not imposed. Without limiting the matters that may be taken into account, the ACCC may take into account, in determining whether or not to reduce or not to impose the charge 'whether the payment of the charge, or part of it, would cause financial hardship to the applicant, or to a person on whose behalf the application was made' and 'whether the giving of access to the document in question is in the general public interest or in the interest of a substantial section of the public'.

Fee Waiver Request

You have sought a remission of the charges based on public interest. In support of this request, you have made the following submissions, as contained in your email of 7 April 2015:

'I would like to request a reduction or waiver of the charge on the grounds of public interest.'

'Mr Andrew Laming is waging an aggressive campaign regarding Halal certification despite there being no government policy on this issue. I believe it is the public's right to know how this MP, representing the federal government, is attempting to exert his influence in this matter.'

D15/55470

My decision

After having considered the information available to me, I, William Herron, as an authorised officer of the ACCC for the purposes of section 23 of the FOI Act, have decided to waive the processing charges in respect of your request for access to the documents.

In making my decision I have considered the information provided in your email of 7 April 2015, in which you provided information in support of your request for waiver of fees on the basis of public interest.

In accordance with section 15 and sub-section 31(2) of the FOI Act, the 30 day limit for processing your request will re-commence today, 28 April 2015, being the day upon which I decided not to impose a charge in respect of your request to access.

You should not regard my decision to waive these charges as being indicative of the ACCC's later decision as to whether to give access to the documents.

As requested in our letter of 27 March 2015, would you please advise whether or not you are agreeable to the ACCC advising any third parties of your identity, as that question is frequently asked of the ACCC in the course of its consultations.

You will be notified of the ACCC's decision in this matter as soon as practicable. Please do not hesitate to contact the FOI Team on (02) 6243 1244 or via email to foi@accc.gov.au if you have any questions in relation to this matter.

Yours sincerely



William Herron
FOI Coordinator
ACCC Legal Group