



The Hon Mark Butler MP
Minister for Health and Aged Care

FOI reference: FOI-4387

JS

Email: foi+request-10206-4ee61af1@righttoknow.org.au

Dear JS

Freedom of Information Request reference: FOI-4387

Notification of liability to pay charge

I refer to your request of 29 April 2023, to the Office of the Minister for Health and Aged Care, the Hon Mark Butler MP, seeking access under the *Freedom of Information Act 1982 (Cth)* (FOI Act) to:

I request all communications between the Office of the Minister for Health (including the previous occupant of this role) and Trent Twomey of the Pharmacy Guild of Australia from 1 January 2022 until 29 April 2023.

I am writing to advise you of my decision that you are liable to pay a charge in respect of the processing of your request.

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

In accordance with section 29 of the FOI Act and the Freedom of Information (Charges) Regulations 2019, my preliminary assessment of the charge you are liable to pay is **\$295.00**.

Basis for my preliminary assessment of the charge

I have assessed the work that the Minister's Office (MO) would need to do to process your request and a calculation of the breakdown of charges is set out in **ATTACHMENT A**.

Your right to contend the charge

Under the FOI Act, you have the right to contend that the charge:

- has been wrongly assessed, or
- should be reduced, or
- should not be imposed.

In deciding whether a charge should be reduced or not imposed, the decision maker must take into account:

- whether payment of the charge, or part of it, would cause you financial hardship
- whether giving access to the documents is in the general public interest or in the interest of a substantial section of the public
- any other relevant matter.

Payment of a deposit

As the charge exceeds \$100, a deposit of 25%, or **\$73.75**, will be sought if the charge is imposed.

The deposit is not refundable except in some limited circumstances (for example, if the decision maker fails to make a decision on your request within the statutory time limit), or may be refundable in part if the final charge is less than the deposit paid.

How to make payment

The Department of Health and Aged Care can accept payment on behalf of the MO by credit card, money order or cheque.

If you wish to pay by credit card, please contact the Department of Health and Aged Care's FOI Section at foi@health.gov.au indicating that you agree to pay the charge and to be further advised on the steps to follow to make that payment.

If you chose to pay by cheque or money order, it should be sent to the following address:

FOI Unit (MDP 516)
Department of Health and Aged Care
GPO Box 9848
CANBERRA ACT 2601

The time you have to respond and what you need to do

You have 30 days from the date this notice is provided to you to respond. Within those 30 days, you must do one of the following things in writing:

- agree to pay the charge (this will mean that you will not be entitled to access the requested documents until the full charge is paid)
- contend that the charge has been wrongly assessed, or should be reduced or not imposed and explain your reasons
- withdraw your request.

Please send your response to:

FOI@health.gov.au
or
FOI Unit (MDP 516)
Department of Health and Aged Care
GPO Box 9848
CANBERRA ACT 2601

If you do not provide us with a written response within 30 days, your request will be taken to have been withdrawn.

The period for processing your request is suspended from the day that you receive this notice and resumes on either the day you pay the charge (in full or the required deposit) or the day on which the decision maker makes a decision not to impose a charge.

Additional information

More information about charges under the FOI Act is available here:

- Office of the Australian Information Commissioner's website: www.oaic.gov.au/freedom-of-information/guidance-and-advice/calculating-and-imposing-charges-for-foi-access-requests/ and
- The Guidelines issued by the Australian Information Commissioner under s 93A of the FOI Act: www.oaic.gov.au/freedom-of-information/foi-guidelines/part-4-charges-for-providing-access/

Contacts

If you require clarification of any matters discussed in this letter you can contact the Department of Health and Aged Care's FOI Section on (02) 6289 1666 or at FOI@health.gov.au

Yours sincerely



Nick Martin
Chief of Staff
Office of the Minister for Health and Aged Care

26 May 2023

BASIS FOR PRELIMINARY ASSESSMENT CHARGES

Document estimate	
Number of relevant documents	22
Number of relevant pages	82

Search and retrieval		
Task	Time (hours)	Cost @ \$15/hr
Search and retrieval of relevant files	13	\$ 195.00
Search and retrieval total	13	\$ 195.00

Decision making		
Task	Time (hours)	Cost @ \$20/hr
Examination of documents	4	\$ 80.00
Consultation with third parties	1	\$ 20.00
Preparation of documents for release	4	\$ 80.00
Preparation of notice of access decision	1	\$ 20.00
Decision making subtotal (before deduction of five hours)	10	\$ 200.00
Decision making total (after deduction of first five hours free)		\$ 100.00

ESTIMATED TOTALS AND DEPOSIT	
Search and Retrieval Total	\$195.00
Decision Making Total	\$100.00
TOTAL	\$295.00
REQUIRED DEPOSIT	\$73.75