



LEGAL, INTERNATIONAL AND REGULATORY AFFAIRS

CASA Ref: F24/10455

Mr Mark Newton

Via email: [foi+request-11124-c2ee2d2c@righttoknow.org.au](mailto:foi+request-11124-c2ee2d2c@righttoknow.org.au)

Dear Mr Newton,

### **PRELIMINARY NOTICE OF CHARGES UNDER THE *FREEDOM OF INFORMATION ACT 1982***

I refer to your email dated 16 February 2024 seeking access to documents under the *Freedom of Information Act 1982* (the Act). Your request was for:

- *Any documents which identify the “key milestones associated with the Class 5 medical certificate exemption instrument” to be completed before timeframes for the Class 4 medical certificate can be confirmed.*
- *Any documents which contain actual or proposed timeframes for the delivery of Class 4 medical certificate regulations.*
- *Any documents containing full or partial proposals for the content of regulations pertaining to the Class 4 medical certificate.*

On 19 March 2024, following receipt of a s.24AB consultation notice, you revised your request including by splitting the request up and making a new request for the following:

- *Any documents which contain actual or proposed timeframes for the delivery of Class 4 medical certificate regulations.*

I have made a decision to impose charges in the amount of **\$137.51** in relation to your new application.

#### **Authority to make this decision**

I am an officer authorised by the Director of Aviation Safety to make decisions about charges applying to requests for access to documents in the possession of the Civil Aviation Safety Authority (CASA) in accordance with section 23(1) of the Act.

#### **Your liability to pay a charge**

In accordance with section 29(1) of the Act, I have decided that you are liable to pay a charge in relation to your request.

#### **Preliminary assessment of the amount of the charge**

In accordance with section 29(1)(b) of the Act, CASA has undertaken a preliminary assessment of the amount of the charge you are liable to pay in relation to your FOI request. Accordingly, you are liable to pay **\$137.51**. A breakdown of this charge, as well as the basis on which the assessment is made, is provided for in detail at Schedule 1.

## What you must do now

In accordance with section 29(1)(f) of the Act, you must, within the period of 30 days from the date of this notice (by **COB Monday 20 May 2024**), notify CASA, in writing of one of the following three things:

**1. agree to pay the charge;**

If you agree to pay the charges, I will then write to you formally imposing the charge and advise you how to pay it.

**2. contend that the charge has been wrongly assessed, or should be reduced or not imposed, or both—that you so contend, giving reasons for so contending; or**

If you make such a contention, I must then decide whether to reduce the charge or not to impose a charge. I must consider any relevant reasons, including whether any contention that payment of the charge, or part of it, would cause you financial hardship, and whether the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public. It is necessary that you provide evidence of financial hardship, or specify how the public would benefit from disclosure if you rely on either of these grounds.

**3. withdraw the request for access to the document concerned.**

If you fail to give CASA notice of any of the above three things within 30 days of the date (Monday 20 May 2024) of this notice or such further period that CASA allows in writing, your request for access will be taken to have been withdrawn.

## Extension of period of processing request

Under section 31 of the Act, the time limit for processing your request is extended by the period of time commencing on the day you receive this notice and ending on the day you pay the charge or the day CASA makes a decision not to impose a charge.

Please do not hesitate to contact me if you have any questions in relation to your request.

Yours sincerely,

Paul Hibberd  
Branch Manager  
Advisory and Drafting Branch  
Legal, International and Regulatory Affairs Division  
Civil Aviation Safety Authority

19 April 2024