

## Fees and Charges

### *Right to Information Act 2009*

The *Right to Information Act 2009* (RTI Act) creates a right for individuals to apply for non-personal documents held by local government. If you wish to gain access to your own personal information, you need to apply under the *Information Privacy Act 2009* (IP Act).

The provisions in the RTI Act are substantially similar to the access provisions in the IP Act.

#### Application fee required

There is an application fee of **\$55.75** that must be paid when you apply for information under the RTI Act.

Your application is not valid and no action can be taken until the fee is paid. There may also be charges relating to processing the application and accessing the documents.

#### Processing charges

Processing charges apply to access under the RTI Act, and must be paid if an application for documents takes longer than 5 hours to process. The time spent is charged at \$8.65 for each 15 minutes or part of 15 minutes. You can be charged for

- time spent searching for or retrieving the documents
- for making, or doing things related to making a decision on your application

No processing charge is payable in relation to a document to the extent the document contains information that is your (applicant's) personal information.

#### Access charges

Access charges apply to applications made under the RTI Act. Access charges comprise the total actual cost incurred for any of the following

- any engagement of another entity to search for and retrieve the document
- any relocation of the document necessary to allow access to be given to the document
- any written transcription of the words recorded or contained in the form of sound, shorthand writing or in codified form
- any creation of a written document using equipment that is usually available for retrieving or collating stored information
- reproduction of the document for access
- A4 black and white photocopying 25c per page

Photocopy charges apply for a paper copy of documents. No charge applies for access on CD.

#### Charges estimate notice

A letter with a charges estimate notice (CEN) will be sent to you. You are required to contact Council **within 20 business days** to

- confirm the access charges and agree to pay; or
- amend your application, narrowing the scope, therefore reducing the charges; or
- withdraw your application.

If you need an extension in time to consider the CEN, contact Council's RTI Officer to negotiate an extension.

If Council does not hear from you, your application will be taken as withdrawn at the end of the 20 business days (or any longer agreed period).

#### New charges estimate notice

If you amend your application, narrowing the scope, therefore reducing the charges, Council will send you a new CEN. No more than two CENs may be given in relation to your access application.

You will again have **20 business days** in which to confirm, amend or withdraw your application. If Council does not hear from you, your application will be taken as withdrawn at the end of this period.

#### Decision

A decision will be sent to you, based on the outcomes of the above, outlining the final processing and access charges.

#### Must pay processing and access charges

You must pay the processing and access charges before access to documents is given. You must also pay applicable processing charges, even if access to a document is refused, or you do not seek access to documents within the statutory access period.

Processing and access charges may be waived on grounds of financial hardship for individuals and non-profit organisation that are able to establish, on the basis of documentary evidence that they are in financial hardship.

#### Time limit for access

Your right to access ceases if you don't access the documents **within 40 business days** of being notified of Council's decision.

#### If you need assistance, contact

Right to Information Officer  
 Western Downs Regional Council  
 Telephone 1300 268 624