



Australian Government

Civil Aviation Safety Authority

Legal Services Division

TRIM Ref: F16/169

19 January 2016

Mr Rob Cumming

By email: foi+request-1450-56a391c3@righttoknow.org.au

Dear Mr Cumming,

NOTICE OF PRELIMINARY ASSESSMENT OF CHARGES UNDER MADE UNDER THE FREEDOM OF INFORMATION ACT 1982

I refer to your email dated 23 December 2015 seeking access to documents under the *Freedom of Information Act 1982* (Cth) (the Act). You sought access to documents related to the evidence for the Cessna SIDs being placed on Cessna aircraft in Australia and the Regulatory Impact Statement (RIS) in support for the SIDs program.

In an email dated 8 January 2016, you confirmed the scope of your request as follows:

1. Documents relating to the basis for the SID's requirement;
2. Documents relating to the RIS for private aircraft in Australia in the implementation of SID's and the basis for the mandatory requirement in Australia compared to the US, when and where the SID's requirements for Australia is based on the FAA requirements; and
3. Documents that refer to private operations vs. commercial operations and
4. Any direct communications with the FAA from/to CASA Australia on this issue.

I have made a decision to impose charges in the amount of \$88.58 in relation to your application.

Please note that I have only charged for those documents that aren't publicly available.

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 \$88.58. 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, notify CASA, in writing of one of the following 3 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 3 things within 30 days of the date 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.

Yours sincerely,



Jennifer Smith-Roberts
Freedom of Information and Finance Officer
Legal Services Division
Civil Aviation Safety Authority

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Facsimile: 02 6217 1607

jennifer.smith-roberts@casa.gov.au



Preliminary charges estimate made under the *Freedom of Information Act 1982*

Detailed calculation of Jennifer Smith-Roberts, Freedom of Information and Finance Officer

BASIC DATA ESTIMATE	F16/169
<i>Time taken to do electronic searches, print and tag these documents (minutes)</i>	240
<i>No of relevant documents held electronically (not on registry files)</i>	
<i>No of relevant pages in documents held electronically (not on registry files)</i>	
Number of relevant registry files	1
Number of relevant documents on registry files	
Number of relevant pages in documents on registry files	
Number of exempt pages (<i>electronic AND on registry files</i>)	
Number of pages released with deletions (<i>electronic AND on registry files</i>)	3
Number of third parties to consult	1

TASK	TIME (in hours)	COST @ \$15 per hr
<i>Search and retrieval electronic file searches, including tagging pages (actual time)</i>	4.00	\$60.00
Search and retrieval of registry files @ 10 mins per file	0.17	\$2.50
Search files and tag relevant pages on registry files (45 mins average per file)	0.75	\$11.25
Search & Retrieval Subtotal	4.92	\$73.75
	TIME (in hours)	COST @ \$20 per hr
Examine relevant pages for decision making (5 mins per relevant page).	0.00	\$0.00
Exempted pages (5 mins extra per page).	0.00	\$0.00
Pages released with deletions (10 mins extra per page)	0.50	\$10.00
Consult third parties (2 hours per consultation)	2.00	\$40.00
Preparation and notification of decision (4 hours per 250 relevant pages).	0.05	\$0.96
Subtotal	2.55	50.96
Free decision making time @\$20.00 an hour (capped at 5 hours)	2.55	(\$50.96)
Examine, Consult & Preparation Subtotal	2.55	\$0.00
	PAGES	COST
Photocopies of estimated released docs (incl those with deletions) @ 10c ea	3	\$0.30
Packaging and postage (actual cost)		\$14.53
Photocopying & Postage Subtotal		\$14.83

ESTIMATED TOTALS	
NUMBER OF RELEASED PAGES	3
TIME (in hours)	7.46
TOTAL	\$88.58