



1 July 2016

Mr Patrick Conheady

Email: foi+request-1982-d4c2f967@righttoknow.org.au

In reply please quote:

FOI Request: FA 16/06/01908

File Number: ADF2016/28406

Dear Mr Conheady

Freedom of Information (FOI) request – decision on request

I refer to your request received on 3 June 2016 by the Department of Immigration and Border Protection (the Department) under the *Freedom of Information Act 1982* (the FOI Act) seeking access to:

“In a letter to an FOI applicant dated 19 May 2016, published on the Right to Know website (<<https://www.righttoknow.org.au/request/1883/response/5558/attach/3/FA%20160401146%20s24AB%20notice.pdf>>), the Department refers to ‘the standard FOI charges calculator’. Please provide that calculator.

As far as possible, the calculator should be provided in its original form.

If the calculator is a compiled program, this request should be taken to include both the source and compiled forms of the program.”

Timeframe for processing your request

On 23 June 2016, the Department wrote to you acknowledging your request and advising that in accordance with the FOI Act, the statutory due date for you to receive your decision is 30 days from the date we receive your request. Accordingly, the due date for you to receive your decision is 3 July 2016. However, as this date falls on a non-business day, section 36(2) of the *Acts Interpretation Act 1901* provides that you receive your decision on the following business day, Monday, 4 July 2016.

Decision on access

The Department has identified one document as matching the scope of your request. In summary, I have decided to release the document to you in full under the FOI Act. Detailed reasons for my decision are set out at **Attachment A**.

Review rights

Internal review

If you disagree with my decision, you have the right to apply for an internal review of my decision. If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by an officer other than the original decision-maker and the Department must make a review decision within 30 days.

Applications for review should be sent to:

Freedom of Information
Department of Immigration and Border Protection
PO Box 25
BELCONNEN ACT 2617

Or by email to: foi@border.gov.au

Review by the Office of the Australian Information Commissioner

You may apply directly to the Australian Information Commissioner for a review of my decision. You must apply in writing within 60 days of this notice. For further information about review rights under the FOI Act please see FOI fact sheet 12 '*Freedom of information – Your review rights*', available online at www.oaic.gov.au .

How to make a complaint about the handling of your FOI request

You may complain to the Australian Information Commissioner if you have concerns about how the department has handled your request under the FOI Act. Information about how to submit a complaint is also available at www.oaic.gov.au

FOI Disclosure Log

The FOI Act requires that information in *accessed documents* must be published to members of the public on a website as outlined in section 11C(3). Further, the FOI Act requires that the information be published *within 10 working days after the day the person is given access to the document* (section 11C(6)). Certain documents containing information such as personal and business information or where it would be considered unreasonable to release are exempt from this requirement.

The process is that, in any given week, documents released to applicants in the period Thursday to Wednesday are placed on the disclosure log the following Friday.

Contacting the FOI Section

If you wish to discuss this matter, I can be contacted using the details provided below.

Yours sincerely

Digitally signed

Katie Moore
Accredited Decision Maker
Freedom of Information Section
Department of Immigration and Border Protection
Email foi@border.gov.au

Attachments

- Attachment A – Decision Record
- Attachment B – Document in the form approved for release

Attachment A**DECISION RECORD****Request Details**

FOI Request: FA 16/05/01035

File Number: ADF2016/20588

Scope of request

On 3 June 2016 you requested:

“In a letter to an FOI applicant dated 19 May 2016, published on the Right to Know website (<<https://www.righttoknow.org.au/request/1883/response/5558/attach/3/FA%20160401146%20s24AB%20notice.pdf>>), the Department refers to 'the standard FOI charges calculator'. Please provide that calculator. As far as possible, the calculator should be provided in its original form. If the calculator is a compiled program, this request should be taken to include both the source and compiled forms of the program.”

Document in scope

The Department has identified one document as matching the scope of your request.

Authority to make decision

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests for access to documents or to amend or annotate Departmental records.

Information considered

In reaching my decision, I have considered the following:

- the terms of your request
- the *Freedom of Information Act 1982*
- the Australian Information Commissioner's Guidelines relating to access to documents held by government and
- the *Freedom of Information (Charges) Regulations 1982*.

Document in context

The document has been released to you, as you have requested, in its original format, being an of Excel spreadsheet. The spreadsheet is derived from the charges specified by the *Freedom of Information (Charges) Regulations 1982*.

The document is a tool which has been designed to be edited and modified, in both the text and formula fields, on a case by case basis. The tool forms the basis of how charges can be estimated; as such it is designed to assist FOI practitioners in FOI case management. It should be noted that the calculator is a document which is only one part of a practitioner's or decision maker's considerations when deciding if charges should apply in a request for access to documents.

Reasons for decision

I am satisfied that I have identified the relevant document that matches the scope of your request, for me to consider in my decision. I have considered the document and am satisfied that no exemptions apply. Therefore, I am releasing the relevant document in full under the FOI Act.

Digitally signed

Katie Moore
Authorised decision maker
Department of Immigration and Border Protection
Email FOI@border.gov.au

1 July 2016