



Canberra Office
ABS House
45 Benjamin Way
Belconnen ACT 2617
Phone 1300 135 070

Locked Bag 10
Belconnen ACT 2616
www.abs.gov.au
ABN 26 331 428 522



FOI Ref: 201617-36

Dr William Pettersson
Email: foi+request-2169-5bcefd8f@righttoknow.org.au

Dear Dr Pettersson

FREEDOM OF INFORMATION REQUEST: ESTIMATE OF CHARGES

I refer to your email dated 23 September 2016 in which you revised the scope of your original request, and requested the following documents under the *Freedom of Information Act 1982* (FOI Act):

1. All instructions given to Census Mainstream Field Officers regarding privacy or confidentiality. This does not include brief mentions/reminders in otherwise unrelated communications.
2. All instructions/information given to Census Mainstream Field Officers regarding access to property.
3. Provisions for securing Census data when Census Mainstream Field Officers are using the 'App' on their personal devices.

A copy of your revised request is provided at **Attachment A**.

The *Freedom of Information (Fees and Charges) Amendment Regulations 2010* (the Regulations) prescribe that charges can be levied in respect of a request for access to documents. These charges are set out by the Regulations and are for search and retrieval of documents, decision making and provision.

I am an authorised decision maker under section 23 of the FOI Act and I have decided that you are liable to pay a charge in respect of the processing of your request.

My preliminary assessment of the charge is \$191.67 (please see the table for details of the charges).

<p>Search and retrieval – \$15 per hour</p> <ul style="list-style-type: none"> • search of the ABS’s electronic records systems and of files held by individuals in areas for which the subject matter contained in the request is potentially of relevance. <p>Estimated number of hours required: 1 hours</p>	\$15
<p>Decision-making (after deducting the first five hours which are free of charge) – \$20 per hour</p> <ul style="list-style-type: none"> • time spent by an agency preparing either a schedule of documents or a recommendation for the authorised decision maker • examination of relevant pages for decision making (includes exempted pages and pages released with redactions) • consultation with other parties • redacting exempt material <p>Estimated number of hours required: 8.83 hours (after the first five hours)</p>	\$176.67
TOTAL COST	\$191.67

The charges set out in the above table are determined by the Regulations and reflect the work involved in processing this request.

The charges are not indicative of the level of access that may be granted to the documents sought. In addition, a decision regarding what, if any, documents to release will be informed by consultation with third parties.

The ABS treats documents that are publicly available (for example, documents published on a publicly accessible website) as irrelevant to a FOI request. This means that you will not be provided with publicly available documents under FOI.

In addition, I anticipate that the following exemption scenarios provided by the FOI Act could apply to the documents you seek:

- section 47C – documents would disclose deliberative matter
- section 47E – documents would or could be reasonably expected to have an adverse effect on the proper and efficient conduct of the operations of an agency
- section 47F – documents would involve the unreasonable disclosure of personal information about any person
- section 47G – documents would or could unreasonably affect a person adversely in respect of his or her lawful business or professional affairs
- section 22 – content irrelevant to the request.

The Regulations prescribe that where a charge is imposed and the charge exceeds \$100.00, a deposit of up to 25 per cent of the estimated charges may be sought. Based on the preliminary estimate of charges for your request, which is \$191.67 you will be required to pay a deposit of \$47.92 before work on your request commences.

Within 30 days of receipt of this notice you are required to either:

- pay the charge; or
 - pay a deposit with the remainder to be paid prior to receipt of documentation; or
 - contend that the charge
 - has been wrongly assessed, or
 - should be reduced, or
 - not imposed, or both; or
- } You should give
} full reasons for so
} contending
- revise your request to narrow the scope; or
 - withdraw your request.

Options for payment are provided at **Attachment B**.

You may contend that the charge has been wrongly assessed, or should be reduced or not imposed (see **Attachment C**). In deciding whether to reduce or not to impose a charge, the decision maker has discretion to consider reduction or remission of charges for any reason, including the following reasons:

- the payment of the fee or a part of the fee would cause financial hardship to the applicant or person on whose behalf the application was made; or
- the giving of access is in the general public interest or in the interest of a substantial section of the public.

If you wish to contest the charges, you should give full reasons for doing so.

If you fail to notify the ABS in a manner described above within 30 days of receipt of this notice, it will be taken that you have withdrawn your request.

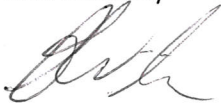
The ABS generally considers the names (other than that of the Australian Statistician), email addresses and other contact details of public service officers to be irrelevant to an FOI request. These details will not be released pursuant to section 22 of the FOI Act. As per section 47F of the FOI Act, names and contact details may also be withheld for personal privacy reasons.

In accordance with section 31 of the FOI Act, the 30 day limit for processing your request is suspended from the day that you receive this notice. It resumes on either the day you pay the charge (in full or the required deposit) or the day on which this agency makes a decision not to impose a charge.

Consistent with the FOI Act, the ABS publishes all documents disclosed in response to FOI requests (other than personal or business information that it would be unreasonable to publish) on the ABS website at the same time as the applicant receives the response.

If you have any queries on this matter please contact the ABS FOI Contact Officer at freedomofinformation@abs.gov.au or on (02) 6252 7203.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CW', is written over the typed name.

Christine Williams
Program Manager
Governance & Parliamentary Liaison Branch
Australian Bureau of Statistics

30 September 2016

Dear Alexia Tribe,

Further to our earlier phone conversation, I propose the following refinement of my FOI request.

1. All instructions given to Census Mainstream Field Officers regarding privacy or confidentiality. This does not include brief mentions/reminders in otherwise unrelated communications.
2. All instructions/information given to Census Mainstream Field Officers regarding access to property.
3. Provisions for securing Census data when Census Mainstream Field Officers are using the 'App' on their personal devices.

Just as a reminder, "Mainstream Field Officers" was the term given by the ABS for the Census "doorknocking" staff, i.e., those staff who were (possibly amongst other things) trying to contact people directly (face-to-face) regarding the Census.

Yours sincerely,

Dr William Pettersson

Australian Bureau of Statistics Payment Options – FOI 201617-36

Please complete the following information and return to the FOI Contact Officer:

By post: FOI Contact Officer
 Policy and Legislation Section
 Australian Bureau of Statistics
 Locked Bag 10
 Belconnen ACT 2617

By email: freedomofinformation@abs.gov.au

Customer Name: _____
 Customer Address: _____

Option 1: Bank Cheque or Australian Money Order – made out to “Collector of Public Monies”
 Attached

OR Option 2: Please debit my credit card as follows:

AMEX VISA Mastercard

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Card Number

/ \$

Expiry Date

CCV Number

Total Amount

Name on Card

Signature of card holder

OR Option 3: EFT Payment:

Reserve Bank of Australia
 BSB: 093 003
 Account No. 317716
 Account Name: ABS Official Receipts Account
 Reference Code: FOI 201617-36

Note: When paying by EFT please use the reference code **FOI 201617-36**, and email a copy of your remittance advice to: freedomofinformation@abs.gov.au

Privacy Statement: Personal information contained on this form that is provided to the ABS will only be used to process the payment in relation to your freedom of information request, and to provide confirmation and receipt of the payment. The information will not be used for any other purpose, and will not be disclosed to any third party. You may access and update the information provided on this form prior the payment being processed, by contacting the ABS Freedom of Information Contact Officer on: (02) 6252 7203 or by email: freedomofinformation@abs.gov.au
 For information on the ABS' information handling practices please see our privacy policy: www.abs.gov.au/privacy

RIGHTS OF REVIEW, WHERE CHARGES IMPOSED**INFORMATION ON RIGHTS OF REVIEW****1. APPLICATION FOR A REDUCTION OR WAIVER OF THE CHARGE**

Section 29 of the *Freedom of Information Act 1982* (the Act) gives you the right to apply to the ABS to have the charge reduced or waived entirely.

Application for a reduction or waiver of the charge must be made in writing within 30 days of receiving this letter. You must set out your reasons for contending that the charge has been wrongly assessed or should otherwise be reduced or waived.

Application for a reduction or waiver of the charge should be emailed to freedomofinformation@abs.gov.au or sent by post to:

ABS FOI Contact Officer
Policy, Legislation and Assurance Section
Australian Bureau of Statistics
Locked Bag 10
BELCONNEN ACT 2617

2. APPLICATION FOR INTERNAL REVIEW OF DECISION

Section 54 of the Act gives you the right to apply for an internal review of the decision to impose a charge for documents in accordance with your request. The ABS will appoint a new officer to your review. To the extent possible, the officer will not have been involved in the making of the original decision. This is to ensure that the review is considered by a fresh, independent and impartial mind.

Application for a review of the decision must be made in writing within 30 days of receipt of this letter. No particular form is required but it would assist the decision-maker if you could set out in the application the grounds on which you consider that the decision should be reviewed.

Application for an internal review of the decision should be emailed to freedomofinformation@abs.gov.au or sent by post to:

ABS FOI Contact Officer
Policy, Legislation and Assurance Section
Australian Bureau of Statistics
Locked Bag 10
BELCONNEN ACT 2617

OR

3. APPLICATION TO AUSTRALIAN INFORMATION COMMISSIONER (INFORMATION COMMISSIONER) FOR REVIEW OF DECISION

Section 54L of the Act gives you the right to seek a review of the decision from the Information Commissioner. An application for review must be made within 60 days of receiving the decision.

Applications for review must be in writing and must:

- give details of how notices must be sent to you; and
- include a copy of the notice of decision.

You should email your application for review to enquiries@oaic.gov.au or sent by post to:

The Information Commissioner
Office of the Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

AND/OR

4. COMPLAINTS TO THE INFORMATION COMMISSIONER

Section 70 of the Act provides that a person may complain to the Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the Act.

A complaint to the Information Commissioner must be in writing and identify the agency the complaint is about. It should be directed to the following address:

The Information Commissioner
Office of the Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

The Information Commissioner may decline to investigate the complaint in a number of circumstances, including that you did not exercise your right to ask the agency, the Information Commissioner, a court or tribunal to review the decision.