

5 October 2016

Reg
Kingaroy

Dear Reg

Freedom of Information Request – FOI 150/2016

I refer to your Freedom of Information request received on 14 September 2016 in which you seek access to documents under the Freedom of Information Act 1982 (“FOI Act”). You have requested the following from Australia Post:

“...[all documents] regarding the loss of a parcel sent to me and returned to sender on via Startrack and Australia Post on consignment number 32DZ00002939 and which occurred again on consignment number 32DZ00003511 [including] copies of all information that has been recorded in your system, including telephone recordings of all conversations I held with representatives of your organisation.

*The Australia Post case numbers were listed as above and for completion are:
Case No 06474246,
Case No 06563380, and
Case No 06961702.....”*

Enquiries have ascertained that Australia Post has Case notes and recorded phone calls in respect to the documents sought.

The recorded phone calls can be transferred to a USB Flash Drive and sent to you via express post. There is a fee for the USB Flash Drive and postage of this item as discussed under heading “Liability to pay a charge”.

Liability to pay a charge

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge in respect of the processing of your request. My preliminary assessment of that charge is as follows:

| Task | Rate | Units | Charge |
|--------------------------------|----------------|-----------|-----------------|
| Search & Retrieval | \$15 per hour | 0.5 units | \$7.50 |
| Decision making | \$20 per hour | 5 units | \$100.00 |
| <i>less first 5 hours free</i> | | 5 units | <i>\$100.00</i> |
| Photocopies | 0.20c per page | 0 pages | \$0.00 |
| USB Flash Drive | \$8.95 | 1 | \$8.95 |
| Express Post Postage | | | \$10.55 |
| TOTAL | | | \$27.00 |

In accordance with the *Freedom of Information (Charges) Regulations 1982*, this estimate has included five hours of decision making time free of charge.

You can agree to pay the charge. If you agree, processing of your request will resume as soon as Australia Post receives a payment, either in full or a deposit.

Payment in full is **\$27.00**. Payment in full entitles you to receive a decision in relation to your request, a schedule which lists the documents relevant to your request, and any documents intended for release.

Regulation 12 of the Charges Regulations provides that Australia Post can receive a deposit. The deposit for this request is **\$25.00**. Payment of a deposit entitles you to receive a decision in relation to your request and a schedule which lists the documents relevant to your request. Relevant documents would only be released on payment of the balance of charges. Regulation 14 provides a deposit paid by an applicant is not refundable unless Australia Post decides to waive the charge or fails to make a decision on the applicant's FOI request within the statutory time limit, including any extension.

Your cheque/money order should be made payable to **Australia Post** and addressed to:

FOI Officer
Australia Post – Legal Group
GPO Box 1777
MELBOURNE VIC 3001

In accordance with paragraph 29(1)(f) of the FOI Act, within 30 days of the date of this notice, you need to either:

- agree to pay the charge indicated above and forward the deposit; or
- contend that the charge has been wrongly assessed, or should be reduced or not imposed (you should provide full reasons for your contention); or
- withdraw your request.

If you contend that the charge has been wrongly assessed, or should be reduced or not imposed, such a contention is not a request for internal review. You will be advised of your review rights under section 54 of the FOI Act following my consideration of your contentions. In deciding whether to reduce or not impose a charge, I must, amongst other things, take into account whether 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.

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

Please note that should you forward a deposit in accordance with section 29 of the FOI Act, you will then accept liability for settlement of the debt with Australia Post upon completion of processing the FOI request. The outstanding charge amount is a debt created in favour of the Commonwealth and therefore, Australia Post is obliged to pursue recovery of the debt in accordance with the *Public Governance, Performance and Accountability Act 2013*.

Processing Time

In relation to the preliminary assessment of charges, in accordance with section 31 of the FOI Act, the time period for processing your request is suspended from the date of this notice and resumes on either the day you pay the deposit or the day on which Australia Post makes a decision not to impose a charge. However, the actual processing time may also be affected by third party consultation.

Extension of Time - Third Party Consultation

As document/s falling within the scope of your request may involve the unreasonable disclosure of the business/personal information of a third party, I am obliged under sections 27 and 27A of the FOI Act to consult with the third parties and give them an opportunity to make submissions

regarding possible disclosure of the document/s. I must take their views into account in determining whether a document is an exempt document.

To enable time for the consultation process, subsection 15(6) of the FOI Act extends the period in which to respond to your request by an additional 30 days. You will be notified of the due date once you have advised Australia Post in relation to the charges.

Policy to Exclude Non-Executive Australia Post Officer Details

Australia Post has adopted a policy to generally exclude the names and contact details of any non-executive Australia Post staff from any documents released under FOI. Australia Post's preference is to reach agreement with FOI applicants to exclude these details from the scope of the request. Where there is no objection, the names and contact details of non-executive Australia Post officers are redacted under section 22 of the FOI Act, on the basis that these details are irrelevant to the request.

Publication

The FOI Act requires Commonwealth agencies to publish:

- information in documents to which the agency routinely gives access in response to FOI requests except where that information is exempt under the FOI Act; and
- information in documents released under the FOI Act.

Subject to certain exceptions, any documents provided to you under the FOI Act will be published on Australia Post's Disclosure Log (www.auspost.com.au) as soon as possible. Australia Post's policy is to publish the documents within one working day after they are released to you.

Please contact the FOI Team on the contact details below if you wish to discuss your request.

Yours sincerely,



Anna Oliver
FOI Officer
Australia Post
foi@auspost.com.au