



Australian Government

Department of Foreign Affairs and Trade

FOI Ref: 1702-F1646
File No: 17/6705
19 March 2017

Mr James Smith
By email

Dear Mr Smith

Re: Freedom of Information Request

I refer to your current request for access under the *Freedom of Information Act 1982* (the FOI Act) to:

All documents wherein the outcome of any enterprise bargaining ballots were communicated to the department by the entity who undertook the ballots.

This shall include the YES/NO VOTE amounts or percentages as well as any additional information related to the vote. For example, a breakdown of the vote by employee location, or APS level.

The scope of this request covers any such documents that were received as a result of EBA offers made to staff under: Workplace Bargaining Policy 2015 or Australian Government Public Sector Workplace Bargaining Policy 2014.

The department has completed preliminary searches for documents relevant to your request. The next step is to consider the application of section 29 of the FOI Act, which concerns the charge, if any, for processing your request.

I am authorised under section 23 of the FOI Act to make decisions on the charge for processing your request. I have decided that you are liable to pay a charge. Based on the number of relevant pages, processing time and time taken by the decision-maker to assess your request (noting that the first five hours are free of charge), our preliminary assessment of the amount of that charge is **\$33.89**. Please note that at this stage in the FOI process, the department has not yet decided to release or exempt under the provisions of the FOI Act the documents you seek. My decision relates only to the processing charges.

Now that we have given you written notice of our preliminary assessment of the amount of the charge for processing your request, under section 29 of the FOI Act, you have 30 days within which to:

- . agree to pay the charge;

- . contend that the charge has been wrongly assessed, or should be reduced or not imposed; or
- . withdraw your request.

You may also elect to narrow the scope of your request as a means to reduce the charge that would apply. The department would handle the narrowed request as a new FOI request for the purposes of the statutory timelines for access to documents.

Should you agree to pay the charge, the *Freedom of Information (Fees & Charges) Regulations* requires that you pay a deposit of \$20.00 where the estimated total cost is less than \$100.00, before processing commences. In this case, we suggest the payment of the entire fee of \$33.89 would be the most efficient approach.

You can make your payment by cheque or money order made payable to 'The National Cashier – DFAT'; by credit card (an authorisation form to arrange payment of the application fee by Visa/MasterCard is attached); or by Direct Debit (see details in attachment).

Should you contend that I have wrongly assessed the charge, or that the department should reduce the charge or not impose a charge, you may apply to the department for a waiver or reduction of the charge. The department may waive or reduce the charge for any reason, including where:

- . the payment of the fee or a part of the fee would cause you financial hardship; or
- . the giving of access to documents relevant to your request is in the general public interest or in the interest of a substantial section of the public.

A departmental decision-maker will take into account any considerations you put forward and will decide whether to impose a charge and in what amount.

Section 31 of the FOI Act provides that we can suspend the 30-day period for processing your request until we receive your payment of the deposit for the charge for processing your request, or we decide not to impose a charge. If you withdraw your request at this stage, the department will not impose a charge.

If we do not receive your response to this letter within 30 days of its receipt, I will consider that you no longer wish to continue with your request, and I will deem it withdrawn. Should you have any queries, or would like to discuss revising the terms of your request, please contact us by email to foi@dfat.gov.au.

Yours sincerely



Helen Horsington
Director
Freedom of Information and Privacy Law Section



Department of Foreign Affairs and Trade

☐ **Payment of Charges: (Deposit / In Full)**

For the sum of \$_____ as detailed in the FOI Estimate of Charges letter dated 3 February 2017 (FOI ref: 1702-F1646)

Credit Card Payment for Freedom of Information (FOI) Charges

Name _____
Address _____

I authorise the National Cashier of the Department of Foreign Affairs and Trade to debit my

☐ VISA ☐ MASTER CARD

--- Expiry: ____/____

Name appearing on card _____

Signature: _____

Payment by Direct Debit

Account Name: Department of Foreign Affairs and Trade
BSB No.: 092-009
Account No.: 110329

Please include your surname and 'FOI Ref No:1702-F1646' in the reference field.

