



**Australian Government**  
**Department of Health**

Department Reference: FOI 230-1617

Mr Philip Nelson  
www.righttoknow.org.au

Via email: foi+request-3200-3e370fcd@righttoknow.org.au

Dear Mr Nelson

**FREEDOM OF INFORMATION REQUEST:  
NOTICE OF LIABILITY TO PAY A CHARGE**

I refer to your request of 6 March 2017 to the Department of Health (Department), seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

*"In respect of Minister Hunt's statement of 03 March 2017 in respect to the Australian Sports Anti-Doping Authority investigation into doping at the Essendon Football Club wherein Mr Hunt was advised there is no new or substantive information in the material supplied that would justify a further investigation.*

*I am requesting a copy of the Department's advice to Minister Hunt referred to in his statement, together with copies of correspondence (electronic and print) between ASADA and Health officials in preparing and finalising that advice."*

I am authorised under section 23(1) of the FOI Act to make decisions in relation to freedom of information requests. I am writing to notify you of my decision on your request.

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge in respect of your request.

Subsection 29(1)(f) of the FOI Act provides that you must notify the Department in writing within 30 days after the date of this notice of either the following:

- that you agree to pay the charge;
- that you wish to make a contention that the charge has been wrongly assessed or should be reduced or not imposed (if you wish to contend please see further details below); or
- that you withdraw your request.

If you do not provide a written response within 30 days after the date of this notice, your request will be taken to have been withdrawn.

## Preliminary Assessment

In accordance with paragraph 29(1)(b) of the FOI Act my preliminary assessment of the charge is \$30.50. This has been calculated as follows:

search and retrieval time (including time spent locating relevant files and collating relevant documents contained on those files)	2.03 hours @ \$15.00 per hour	\$30.50
decision making time (including time spent examining the documents, considering exemptions, undertaking consultation, writing the decision and preparing any documents for release)	2.19 hours @ \$20.00 per hour	\$43.84
	First 5 hours free	(\$100.00)
<b>TOTAL</b>		<b>\$30.50</b>

## Deposit

I have also decided that you are required to pay a deposit. As the preliminary assessment has been determined to be less than \$100.00, the deposit you are required to pay is \$7.63.

Payment of a deposit will be taken as your authority to proceed with processing of your request and your agreement to pay the full charge in which case you will become liable to the commonwealth for the full cost of processing the charge. The department can accept credit card, money order or cheque payments. Where you choose to pay by cheque (personal or bank) or money order it should be sent to the following:

FOI Unit (MDP 41)  
Department of Health  
GPO Box 9848  
CANBERRA ACT 2601

Where you wish to pay by credit card you should contact the Department's FOI unit on (02) 62891666 to be further advised.

## Contention that the charge has been wrongly assessed, should be reduced or not imposed

Under the FOI Act you have the right to contend that the charge has been wrongly assessed, should be reduced or not imposed. If you choose to make such a contention the matters that I am required by subsection 29(5) of the FOI Act to take into account include:

- (a) whether the payment of the charge, or part of it, would cause financial hardship to you or the person on whose behalf the application was made; and
- (b) whether the giving of access to the document[s] in question is in the general public interest or in the interest of a substantial section of the public.

**Timeframe for providing you with a decision**

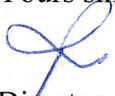
The date for providing you with a decision will be later than that previously advised because processing of your request is suspended from the date you receive this notice. Counting of the 30 calendar days will resume when either you pay a deposit or any contention about the charge has been resolved.

**Relevant provisions**

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website <https://www.legislation.gov.au/Details/C2016C01042>

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on (02) 62891666, or by email at [FOI@health.gov.au](mailto:FOI@health.gov.au)

Yours sincerely



Director  
Freedom of Information

31 March 2017