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Our ref: #1002210
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23 June 2017

www.accc.gov.au

JS

Sent via email to: foi+request-3216-6866dde6@righttoknow.org.au

Dear JS

Internal review decision on freedom of information request

I refer to your email dated 24 May 2017, which we have taken to be a request for an internal review of our freedom of information charges decision of 1 May 2017.

You requested access to:

'documents referred to in an article published in the The Sunday Mail (Qld) on January 22, 2017 and apparently already released under FOI.'

On 21 March 2017, the ACCC provided you with a preliminary estimate of the charges involved in processing your request. On 19 April 2017, you sought a reconsideration of those charges and were provided with the ACCC's response on 1 May 2017.

Decision

I am authorised to make internal review decisions under s.23 of the *Freedom of Information Act 1982* (the Act).

In deciding whether or not to reduce or not impose a charge, s.29(5) of the Act requires that an agency take into account:

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

You did not seek waiver on financial hardship grounds, or submit any evidence of financial hardship.

I have read your contentions in support of waiver on public interest grounds. However, I cannot see any general public interest, or interest of a substantial section of the public, in relation to the material covered by the scope of your request.

In making my decision, I may also consider any other relevant matter. Given that the documents have already been the subject of previous FOI request, and the estimated processing charges are \$34.80, I have decided to waive the fees associated with processing your request.

Review rights

Attachment A to this letter outlines your rights of review if you disagree with my decision.

Timeframes

We will now begin processing your request. At this stage, you can expect our decision on or before 11 July 2017.

Please contact me on 02 6243 1244 if you have any questions in relation to this matter.

Yours sincerely



Heather Thomas

Principal Lawyer
ACCC Legal Group

Sent by email 23/06/2017