



Australian Government
Department of Employment

Mr Jackson Gothe-Snape

By email: foi+request-3228-d9e7f991@righttoknow.org.au

Dear Mr Gothe-Snape

I refer to your request, dated 13 March 2017, to the Department of Employment (the Department) for access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to:

...any correspondence with the Minister's office on reporting of the contract with identifier CN3174232

I also refer to the charge notice sent to you by the Department on 4 April 2017. In that notice, we indicated that you were liable to pay a charge (**\$587.5**) in relation to your request, and that you had 30 days from the date you received the notice to respond.

You indicated by email on 27 April 2017 that you wished to exclude the attachments from the scope of your request.

For the purpose of assessing the charge you are liable to pay under section 29 of the FOI Act, we have treated your revised request as a contention that the charge should be reduced (paragraph 29(1)(c) of the FOI Act).

In light of your revised scope, we have decided to reduce the amount of the charge you are liable to pay under section 29 of the FOI Act.

Preliminary Assessment of the Charge

My preliminary assessment of the total cost for processing the request is calculated as follows:

Search and retrieval time: 10.5 hours, at \$15.00 per hour:	157.5
Decision-making time: 3.8 hours minus the first 5 hours* at \$20.00 per hour:	0.00
TOTAL	\$157.5

*The FOI Act provides that the first five hours of decision-making time are free of charge and this is reflected in the calculation.

Your revision of the scope of your request reduced the number of relevant pages from 285 to 12. I estimate that it will take an additional 3.8 hours to examine the documents, undertake any necessary consultations and prepare the decision on access and any documents for release.

The search and retrieval time for request was, as previously indicated, 10.5 hours.

Please note that the charge estimated by the Department is based on the work involved in processing your request and is not a fee for access to documents.

Required Action

If you would like the Department to continue processing your request, you must notify the Department in writing within 30 days of receiving this notice that you:

- A. agree to pay the charge, and pay the charge (in full or the required deposit);
- B. wish to contend that the charge:
 - (i) has been wrongly assessed; or
 - (ii) should be reduced or not imposed; or
 - (iii) both
- C. withdraw the request for access.

If you do not provide a written response in accordance with one of Options A, B or C above within 30 days of receiving this notice, your request will be taken to have been withdrawn under the FOI Act.

Further information on options A, B and C is set out below.

Option A – pay the charge

As the charge exceeds \$100, you are required to pay a deposit of **\$39.00**, which is 25% of the total amount, within 30 days of receiving this notice. Alternatively you may pay the charge in full at this point.

The amount due should be paid by cheque or money order made out to the Collector of Relevant Monies—Department of Employment. Please contact me for details of how to pay the charge by credit card.

Option B – seek reduction or non-imposition of the charge

If you believe that the charge has been wrongly assessed, or should be reduced or not imposed, please set out your reasons and any evidence that the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public. These factors will be taken into account by the Department's decision-maker when determining whether to reduce or not impose the charge.

If you believe that payment of the charge, or part of it, would cause you financial hardship, please provide sufficient details of your financial circumstances to enable the decision-maker to make a well-informed decision in this regard.

Option C – withdraw your request

If you wish to withdraw your request you may do so in writing.

Time limits for processing your request

The time period for processing your request is suspended from the day that you receive this notice and resumes on either the day you pay the charge (either in full or the required deposit) or the day on which the Department makes a decision not to impose a charge.

Address for correspondence

Please send all correspondence regarding your FOI request to me by email to foi@employment.gov.au or to the following address:

Information Law Team
 Information Law, Practice Management and Corporate Advising Branch
 LOC: C12MT1-LEGAL
 GPO Box 9880

CANBERRA ACT 2601

Should you have any queries concerning this matter, please contact me via email at foi@employment.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Ramsay', written in a cursive style.

James Ramsay
Government Lawyer
Information Law Team
Information Law, Practice Management and Corporate Advising Branch
4 May 2017

Internal Review

Section 54 of the FOI Act gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: The FOI Coordinator
 Information Law Team
 Information Law, Practice Management and Corporate Advising Branch
 LOC: C12MT1 - LEGAL
 GPO BOX 9880
 CANBERRA ACT 2601
Email: foi@employment.gov.au

External Review by the Australian Information Commissioner

Section 54L of the FOI Act gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC's website at www.oaic.gov.au, within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision.

You can also complain to the AIC or the Commonwealth Ombudsman about how an agency handled an FOI request, or other actions the agency took under the FOI Act.

We are advised by the AIC that applications for review or complaint must be lodged with the AIC in one of the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218 Sydney NSW 2001
Fax: +61 2 9284 9666
Email: enquiries@oaic.gov.au

For general enquiries, please call 1300 363 992 or +61 2 9284 9749 for international.