



Australian Government

Department of Communications and the Arts

Mr Jackson Gothe-Snape
(via email: foi+request-3299-cccc19c@righttoknow.org.au)

24 April 2017

Dear Mr Gothe-Snape

Freedom of Information Request FOI 26-1617 – Preliminary Estimate of Charges Notice

I refer to your request on 28 March 2017 for access to documents under the *Freedom of Information Act 1982* (FOI Act).

Notice that you are liable to pay a charge (s 29)

I am writing to advise you of my decision that you are liable to pay a charge in respect of the processing of your request. I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to FOI requests.

My preliminary assessment of the charge you are liable to pay is at Enclosure 1.

Basis for my preliminary assessment of the charge

I have assessed the work the Department would need to do to process your request and have calculated the breakdown of charges at Enclosure 1 in accordance with section 29 of the FOI Act, the *Freedom of Information (Charges) Regulations 1982*, and the Australian Information Commissioner's *FOI Guidelines* (Part 4 – Charges for providing access).

Your right to contend the charge

Under the FOI Act, you have the right to contend that the charge:

- has been wrongly assessed,
- should be reduced, or
- should not be imposed.

In deciding whether a charge should be reduced or not imposed, a decision maker in our agency must take into account:

- whether payment of the charge, or part of it, would cause you financial hardship,
- whether giving access to the document[s] is in the general public interest or in the interest of a substantial section of the public, and
- any other relevant matter.

Payment of deposit

Please pay the deposit indicated at Enclosure 1.

Where a charge exceeds \$25, a deposit of \$20 will be sought if the charge is imposed. Where a charge exceeds \$100, a 25 per cent deposit will be sought if the charge is imposed.

The deposit is not refundable except in limited circumstances (for example, it may be fully refundable if the Department fails to make a decision on your request within the statutory time limit, or may be refundable in part if the final charge is less than the deposit paid).

The time you have to respond and what you need to do

You have 30 days from the date of this notice to respond in writing to this notice. By that date, you must do one of the following things in writing:

- agree to pay the charge (this will mean that you will not be entitled to access the requested documents until the full charge, other than any inspection charge, is paid);
- contend that the charge has been wrongly assessed, or should be reduced or not imposed, and explain your reasons; or
- withdraw your request.

Please send your response to:

By email

FOI Coordinator

foi@communications.gov.au

By post

FOI Coordinator

Office of the General Counsel

Department of Communications and the Arts

GPO Box 2154

Canberra ACT 2601

If you do not provide us with a written response by the due date, your request will be taken to have been withdrawn.

The 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 (in full or the required deposit) or the day on which a departmental decision maker makes a decision not to impose a charge.

Questions about this notice

If you have any questions or wish to discuss this notice with us, please contact the Department's FOI Coordinator by telephone (02) 6271 1277, or by email to foi@communications.gov.au.

The FOI Act provides for rights of review of decisions. I have attached a copy of the Office of the *Australian Information Commissioner's FOI fact sheet 12 – Your review rights*.

Yours sincerely

Legal Director

Office of the General Counsel

Position Number 112404

Enclosure 1 Preliminary assessment of charge



Australian Government

Department of Communications and the Arts

Preliminary Assessment of Charge under the *Freedom of Information Act 1982*

| Document estimate | |
|---|---|
| Number of relevant documents | 4 |
| Number of relevant pages (or other size descriptor) | 6 |

| PROCESSING CHARGES | | |
|--|---------------|-----------------|
| Search and retrieval | | |
| Task | Time | Cost @ \$15/hr |
| Search and retrieval of relevant electronic and registry files | 5h 30m | \$82.50 |
| Search and retrieval of relevant pages in file | 2 hours | \$30.00 |
| Preparation of schedule of documents | 20 min | \$5.00 |
| A. Search and retrieval subtotal | | \$117.50 |
| Decision making | | |
| Task | Time | Cost @ \$20/hr |
| Examination of documents | 30 min | \$10.00 |
| Consultation with third parties | - | - |
| Preparation of documents for release | 15 min | \$5.00 |
| Preparation of notice of access decision | 2 hours | \$40.00 |
| Decision making subtotal (before deduction of 5 hours) | 2h 45m | \$55.00 |
| B. Decision making subtotal (after deduction of first 5 hours free) | - | \$0.00 |

| ACCESS AND DELIVERY CHARGES | | |
|---|--------------|---------------|
| | No. of pages | Cost |
| Transcription (\$4.40/page) | - | - |
| Photocopy (\$0.10/page) | - | - |
| Other copies (\$4.40/page) | - | - |
| Cost | | |
| Electronic production (actual cost) | 6 | \$0.00 |
| Replay [replaying of sound or film] (actual cost) | - | - |
| Delivery (actual cost) | - | - |
| Time | | |
| Inspection (@ \$6.25 per half hour) | - | - |
| <i>C. Access and delivery charges subtotal</i> | | <i>\$0.00</i> |

| ESTIMATED TOTALS AND DEPOSIT | |
|---------------------------------------|----------|
| ESTIMATED TOTAL (total of A, B and C) | \$117.50 |

| | |
|----------------------------------|-------------|
| REQUIRED DEPOSIT | \$29.37 |
| DUE DATE FOR PAYMENT OF DEPOSIT* | 24 May 2017 |

* The due date for payment of deposit is 30 days from the date of this notice. The date is indicated here for your convenience.

Payment by Direct Debit

Account Name: Department of Communications and the Arts

BSB No.: 032-729

Account No.: 146537

Reference: FOI 26-1617

Payment by Cheque or Money Order

Payable to 'The Cashier – Department of Communications and the Arts':

By post

FOI Coordinator

Office of the General Counsel

Department of Communications and the Arts

GPO Box 2154

Canberra ACT 2601

By hand

FOI Coordinator

Office of the General Counsel

Department of Communications and the Arts

38 Sydney Avenue

FORREST ACT 2603