



Australian Government
Department of Immigration and Citizenship

3 September 2013

Mr Michael McCarthy
Email: foi+request-333-866336f5@righttoknow.org.au

In reply please quote:

FOI Request: FA13/08/00301
File Number: ADF2013/25068

Dear Mr McCarthy

Freedom of Information request – Notice that applicant is liable to pay a charge (s.29)

This letter refers to your request received on 1 August 2013 seeking access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

'We have requested a copy of the abovementioned labour agreement from my employer Aurizon/QR NATIONAL/AUSTRALIAN RAILROAD GROUP, as well as the immigration agent Julie Williams @ Migration Downunder. They are refusing to supply me with a copy, alternatively the reference number of the agreement, and I believe I and my fellow employees are entitled to it..'

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 s.23(1) of the FOI Act to make decisions in relation to FOI requests.

In accordance with s.29 of the FOI Act and the *Freedom of Information Charges Regulations 1982*, my preliminary assessment of the charge you are liable to pay is \$52.25

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 following breakdown of charges.

Document estimate

Number of relevant documents: 1 documents
Number of relevant pages: 19 pages

Processing charges

Search and retrieval		
Task	Time (hours)	Cost @ \$15/hr
Search and retrieval of relevant electronic and registry files	0.17	\$2.50
Search and retrieval of relevant pages in file	0.75	\$11.25
Preparation of schedule of documents	0.05	\$0.75
Search and retrieval subtotal	.97	\$14.50

Decision making		
Task	Time (hours)	Cost @ \$20/hr
Examination of documents	1.58	\$31.67
Consultation with third parties	2.00	\$40.00
Preparation of notice of access decision	3.30	\$66.08
Decision making subtotal (before deduction of 5 free hours)	6.89	\$137.75
Decision making subtotal (after deduction of 5 free hours)	1.89	\$37.75

Estimated totals and deposit	
Estimated total	\$52.25
Deposit required	\$20.00

Your right to contend the charge

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

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

In deciding whether a charge should be reduced or not imposed, the 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 documents is in the general public interest or in the interest of a substantial section of the public
- any other relevant matter.

A \$20 deposit is required.

The deposit is not refundable except in some limited circumstances, for example, 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 to respond in writing to this notice. We therefore expect a response from you by 3 October 2013. By that date, you must do one of the following things in writing:

- agree to pay the charge agree to pay the charge (by completing the credit card deduction authorisation form or providing a cheque or money order);
- contend that the charge has been wrongly assessed, or should be reduced or not imposed and explain your reasons; or
- withdraw your request.

If you do not provide us with a written response by 3 October 2013 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 this agency makes a decision not to impose a charge.

How to pay the deposit

The deposit can be paid by cheque, money order or credit card.

Cheques and money orders should be made payable to "Collector of Public Monies DIAC" and sent to:

FOI & Privacy Policy Section
Department of Immigration & Citizenship
PO Box 25
BELCONNEN ACT 2616

Should you choose to pay by credit card, please fill out the attached credit card authorisation form and forward to FOI & Privacy Policy Section at the above address, or email to foi@immi.gov.au.

Contacting the FOI Section

If you wish to discuss this matter, I can be contacted using the details provided below.

Service satisfaction

The department remains committed to ensuring that all clients, both in Australia and overseas, receive not only fair and reasonable treatment, but also an efficient standard of service that is sensitive to each client's needs.

To provide a compliment, complaint or suggestion you can:

- telephone the Global Feedback Unit (toll-free within Australia) on 13 31 77 9 am to 4 pm
- complete a feedback form online at www.immi.gov.au
- write to the Manager, Global Feedback Unit, Reply Paid 241, Melbourne Victoria 3001 Australia
- contact us directly through any of our offices.

Yours sincerely



Mel Heggart
PN 60008303
FOI Case Officer
FOI & Privacy Policy
Department of Immigration and Citizenship
Telephone 02 6264 3131
Email FOI@immi.gov.au

Attachments

Client service information

Credit card deduction authorisation form

CLIENT SERVICE INFORMATION

Client Service Charter

Our Client Service Charter explains our service commitment to you. We are committed to service delivery that is timely, open and accountable, and responsive to your needs. The Charter explains how you can help us and how you can provide feedback or make a complaint. You can read our Client Service Charter on our website, or in a printed copy available from any of our offices.

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- telephone the Global Feedback Unit on 13 31 77 during business hours
- complete a feedback form online at www.immi.gov.au
- write to:
The Manager
Global Feedback Unit
GPO Box 241
Melbourne VIC 3001
Australia
- contact us directly through any of our offices.

