



**Australian Government**  
**Department of Immigration and Citizenship**

3 September 2013

Mr Lawrence Bull

Sent by email to: [foi+request-360-2730ea90@righttoknow.org.au](mailto:foi+request-360-2730ea90@righttoknow.org.au)

**In reply please quote:**

Client Name Lawrence Bull  
FOI Request FA 13/08/00966  
File Number ADF2013/27262

Dear Mr Bull,

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

This letter refers to your request received on 22 August 2013 seeking access under the *Freedom of Information Act 1982* (the FOI Act) to the following documents:

*“Under the Freedom of Information Act (1982) I request all incident reports (and their attachments) concerning the escape or recapture of detainees in Darwin between 1 May 2013 and 15 May 2013.”*

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 \$32.95.

**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**

The document within the scope of your request *includes incident reports and reports.*

Number of relevant documents: 1 document

Number of relevant pages: 16 pages

## Processing charges

<b>Search and retrieval</b>		
<b>Task</b>	<b>Time (hours)</b>	<b>Cost @ \$15/hr</b>
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	0.97	\$14.50

<b>Decision making</b>		
<b>Task</b>	<b>Time (hours)</b>	<b>Cost @ \$20/hr</b>
Examination of documents	1.33	\$26.67
Preparation of documents for release	1.33	\$26.67
Consultation with third parties	0.00	\$0.00
Preparation of notice of access decision	3.26	\$65.12
Decision making subtotal (before deduction of 5 free hours)	5.92	\$118.45
Decision making subtotal (after deduction of 5 free hours)	0.92	\$18.45

<b>Access and delivery charges</b>		
<b>Task</b>	<b>Time (hours)</b>	<b>Cost</b>
Access through inspection @ \$6.25 per ½ hr	0.00	\$0.00
Access through hearing/viewing @ \$6.25 per ½ hr	0.00	\$0.00
	<b>Pages</b>	<b>Cost</b>
Photocopy @ 10c per page	0	\$0.00
Packaging and postage (estimated cost)	0	\$0.00
Access and delivery subtotal		\$0.00

<b>Estimated totals and deposit</b>	
Estimated total	<b>\$32.95</b>
Deposit required	<b>\$20.00</b>

## 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 document(s) is in the general public interest or in the interest of a substantial section of the public
- any other relevant matter.

As the charge exceeds \$25, a deposit of \$20 will be sought if the charge is imposed.

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 **Thursday 3 October 2013**. 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 you have been provided a notice of decision on the documents and the full 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.

If you do not provide us with a written response by **Thursday 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](mailto: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](http://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



Shannon Bevan  
Position Number 00003160  
FOI & Privacy Policy Section  
Governance & Audit Branch  
Department of Immigration and Citizenship  
Phone (02) 6264 4667  
Email [foi@immi.gov.au](mailto:foi@immi.gov.au)