

4 September 2013

Mr Greg Wilson
Villa 3 - Moreton View Tower & Villas
42 Ferry St, Kangaroo Point
Brisbane QLD 4169

By email: foi+request-370-2cb7963c@righttoknow.org.au

ACMA file reference: 2013/1411

Dear Mr Wilson

Request for access to documents under the *Freedom of Information Act 1982*

I refer to your *Freedom of Information Act 1982* (FOI Act) request dated and received on 2 September 2013 in which you sought access to:

- 1) Details of ACMA's internal procedures and procedural guidelines for review of complaints of the nature of that raised.
- 2) All ACMA internal memoranda, correspondence, minutes of meetings of ACMA "teams" or officers (including dates and details of those attending) reports and recommendations in relation to ACMA's investigation reference ACMA2013/794 - Investigation 3042, and the conclusions reached by ACMA as detailed in its above-referred advices of 18 July and 12 August 2013."

Clarification of scope of your request

The FOI Act is concerned with providing access to documents of an agency, rather than with providing particular information. To assist us in identifying the relevant documents you are seeking, the ACMA would appreciate some further clarification of the nature of the documents you request.

In relation to the first category of documents requested, can you please confirm that you are only seeking access to any ACMA internal procedures and guidelines relating to the investigation of broadcasting complaints that were in place at the time of your complaint (i.e. excluding superseded policies and procedures that the ACMA no longer has regard to in investigating such complaints).

In addition, and in the interests of reducing the scope of the request in relation to both categories of documents, can you advise whether you are happy to exclude duplicate copies of the same document from your request?

The ACMA would appreciate if you could advise us by no later than Wednesday, 11 September whether or not these proposed clarifications are acceptable to you.

Charges

Please note that the ACMA is entitled to charge for:

- searching for and retrieving documents (\$15.00 per hour);
- making a decision on access (\$20.00 per hour after the first five hours, which are for free);
- photocopying (10 cents per page);
- postage or delivery (an amount not exceeding cost of postage or delivery);
- transcribing (\$4.40 per page); and
- supervising, if the applicant wishes to inspect (\$6.25 per half-hour).

These processing charges are prescribed in the *Freedom of Information (Fees and Charges) Regulations*.

The ACMA will, in accordance with section 29 of the FOI Act, advise you if you are liable to pay any charge and provide a preliminary assessment of those charges.

Time for processing

The statutory timeframe for responding to your request under the FOI Act is generally 30 days, commencing the day following the day on which the ACMA received the valid application.

In accordance with subsection 15(5) of the FOI Act, we will notify you of a decision regarding your request as soon as practicable, but in any event by 2 October 2013 unless the timeframe is extended (or the time for processing is suspended) under the FOI Act.

If you have any questions or wish to discuss this letter please contact me as per the details below.

Yours sincerely



Alexander Davie
Investigations Officer
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