



Australian Government

Department of Communications

Via email foi+request-382-8cf3db1f@righttoknow.org.au

Dear Tim

Freedom of Information Request No: 12-1314

I refer to your email of 6 September 2013 in which you sought access under the *Freedom of Information Act 1982* (the FOI Act) to the NBN components of the Incoming Government Brief known as the Blue book.

In accordance with subsection 29(1) of the FOI Act, the authorised decision-maker has decided that you are liable to pay a charge in respect of the processing of your request. An assessment of the work involved in processing your request has been undertaken and the preliminary estimate of the charge is **\$934.04**, based on:

Search and Retrieval Time	3.32 hours @ \$15.00 per hour	\$49.75
Decision Making Time (*)	44.21 hours @ \$20.00 per hour	\$884.29

*In accordance with the *Freedom of Information (Fees and Charges) Regulations*, you have not been charged for the first five hours of decision making time.

The estimate is based on the 48 documents (253 pages) relevant to your request. A preliminary review of the documents identified as being relevant to your request indicates that, given the nature of the documents, a significant proportion of those documents would potentially be exempt.

As the charge exceeds \$100.00, a deposit of 25% (**\$233.51**) is sought.

Within 30 days of this notice you are required to either:

- agree to pay the charge and forward the deposit; or
- contend that the charge has been wrongly assessed, or should be reduced or not imposed (you should provide full reasons for your contention); or
- narrow the scope of your request (which may reduce the charge payable); or
- withdraw your request.

If you fail to notify the Department in a manner mentioned above within 30 days of this notice, your request will be taken to have been withdrawn.

If you contend that the estimated charge has been wrongly assessed, or should be reduced or not imposed, you must notify the Department of your contention, providing reasons, and evidence where relevant, to support your submission. In deciding whether to reduce or not to impose a charge, the decision-maker will consider all relevant factors, including:

- whether the payment of the charge, or a part of it, would cause you financial hardship; and
- whether the giving of access is in the general public interest.

Once the Department has completed the processing of your request, the assessment of the charge payable will be revised based on the actual amount of work involved in processing your request. If you are refused access to any of the documents that are relevant to your request, the Department may not impose an actual charge that is higher than the estimated charge. It is only if you are granted access to all the documents that are relevant to your request that the actual charge that is imposed may be higher than the estimated charge.

If you agree to pay the estimated charge set out above, or the deposit for that charge, your cheque should be made payable to the Department of Communications and sent to the address shown below. If you require details for an electronic funds transfer, please contact the FOI team.

FOI Officer
Department of Communications
GPO Box 2154
CANBERRA ACT 2601

Please note that if you forward a deposit and the processing of your request progresses to the point where a decision on access is made, a decision about the imposition of the actual charge will be made at that time. As a result the balance of the actual charge will become a debt due to the Commonwealth which the Department is obliged to pursue in accordance with the *Financial Management and Accountability Act 1997*.

In accordance with section 31 of the FOI Act, the 30-day time limit for processing your request is suspended from the date you receive this notice and resumes on either the day we receive your deposit or, if you decide to contest the charge and the Department decides not to impose a charge, on the day on which you are notified of this, or the day on which you pay a reduced deposit, where the Department decides to reduce the charge and the deposit required.

Information Publication Scheme

Please note that in accordance with section 11C of the FOI Act, where the Department gives access to a document under section 11A of the FOI Act, the Department must publish that information on its website within 10 working days after the day an applicant is given access to the documents. Please see www.oaic.gov.au for more information about the Information Publication Scheme.

If you have any queries, please contact a member of the FOI team on 6271 1741 or by email at foi@dbcde.gov.au.

Yours sincerely



Elizabeth Lawler
Manager | Client Engagement & FOI
Governance Branch

27 September 2013