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4 April 2018

M Pool

Via email to: foi+request-4378-c3a858c0@righttoknow.org.au

Dear M Pool

Charges for processing your freedom of information request

I refer to your email dated 22 March 2018 in which you assert that the ACCC's charges letter sent to you on 14 March 2018 *'is not valid at law'*.

The ACCC's charges letter provides written notice, in accordance with s.29 of the *Freedom of Information Act 1982*, that you are liable to pay a charge, our preliminary assessment of that charge, with the basis for the assessment set out on page 3 under the heading *'Calculation of charges'*:

'The above estimate includes approximately 5 hours finding the documents covered by your request. It also includes 17 hours examining the documents and making a decision. There are approximately 27 documents within the scope of your request'.

For your information there are approximately 40 pages within the scope of your request.

Even though you stated you are agreeable to the ACCC redacting personal information from the documents, this does not necessarily mean that the ACCC would not consult any relevant third parties, for example to confirm that any such proposed redactions would, in fact, remove all personal information from the documents.

As set out in our letter of 14 March 2018, you have until 13 April 2018 to either:

- (a) agree to pay the charge and forward the deposit of \$83.27 (AUD); or
- (b) contend that the charge -
 - (i) has been wrongly assessed, or
 - (ii) should be reduced, or
 - (iii) should not be imposed, or both; or
- (c) withdraw your request.

If you are unhappy with how the ACCC is processing your FOI request you can complain to the Office of the Australian Information Commissioner (<https://www.oaic.gov.au/freedom-of-information/foi-complaints>).

The *Public Interest Disclosure Act* 2013 enables public officials to report suspected wrongdoing in the Australian Public Service. If you are a public official and wish to make a disclosure, further information on how to do so is available from the Commonwealth Ombudsman's website at www.ombudsman.gov.au.

Yours sincerely



Heather Thomas

Principal Lawyer
ACCC Legal Group

Sent by email 4/04/2018