



Australian Government
Department of Jobs and Small Business

34610

Ms Clarissa Loi
Right to Know website
By email: foi+request-4595-8ab8904f@righttoknow.org.au

Dear Ms Loi

I refer to your request received by the Department of Jobs and Small Business (the Department) on 23 May 2018, seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

'the report that investigated the circumstances of Josh Park-Fing's death in 2016 while he was under the Work For The Dole programme. The Hon. Michaelia Cash has mentioned that the report was previously released to NEATO, but has yet to be publicly released'.

Third Party Consultation

Your request covers a document which contains information about the business affairs of particular organisations. The Department believes that these third parties may wish to make submissions about the release of the document and contend that certain information is exempt under the FOI Act. Accordingly, the Department is required to consult with these third parties before making its decision on access to the documents.

To allow for consultation with these third parties, the FOI Act extends the standard 30-day statutory time period by a further 30 days. This will give the Department 60 days in which to notify you of its decision on access to the documents.

Preliminary Assessment of the Charge

In accordance with section 29 of the FOI Act, I have decided that you are liable to pay a charge for the processing of your request. My preliminary assessment of that charge is \$296.75, calculated as follows:

Search and retrieval time: 25 mins, at \$15.00 per hour:	\$3.75
Decision-making time: 19.65 hours minus the first 5 hours* at \$20.00 per hour:	\$293.00
TOTAL	\$296.75

*The FOI Act provides that the first five hours of decision-making time are free of charge and this is reflected in the calculation.

I am advised that the Department has in its possession one document containing 83 pages relevant to your request. I estimate that it has taken 25 minutes to locate and retrieve the document and will take an additional 20 hours to examine the document, undertake any necessary consultations and prepare the decision on access.

Please note that the charge estimated by the Department is based on the work involved in processing your request and is not a fee for access to the document.

Required Action

If you would like the Department to continue processing your request, you must notify the Department in writing within 30 days of receiving this notice that you:

- A. agree to pay the charge, and pay the charge (in full or the required deposit);
- B. wish to contend that the charge:
 - (i) has been wrongly assessed; or
 - (ii) should be reduced or not imposed; or
 - (iii) both
- C. withdraw the request for access.

If you do not provide a written response in accordance with one of Options A, B or C above within 30 days of receiving this notice, your request will be taken to have been withdrawn under the FOI Act.

Further information on options A, B and C is set out below.

Option A – pay the charge

As the charge exceeds \$100, you are required to pay a deposit of \$74.00, which is 25% of the total amount, within 30 days of receiving this notice. Alternatively, you may pay the charge in full at this point.

The amount due should be paid by cheque or money order made out to the Collector of Public Monies—Department of Employment. Please contact me for details of how to pay the charge by credit card.

Option B – seek reduction or non-imposition of the charge

If you believe that the charge has been wrongly assessed, or should be reduced or not imposed, please set out your reasons and any evidence that the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public. These factors will be taken into account by the Department's decision-maker when determining whether to reduce or not impose the charge.

If you believe that payment of the charge, or part of it, would cause you financial hardship, please provide sufficient details of your financial circumstances to enable the decision-maker to make a well-informed decision in this regard.

Option C – withdraw your request

If you wish to withdraw your request you may do so in writing.

Time limits for processing your request

The time 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 (either in full or the required deposit) or the day on which the Department makes a decision not to impose a charge.

Address for correspondence

Please send all correspondence regarding your FOI request to me at the following address:

Information Law Team
Information Law, Practice Management and Corporate Advising Branch
LOC: C12MT1-LEGAL
GPO Box 9880
CANBERRA ACT 2601

or by email to foi@jobs.gov.au.

Should you have any queries concerning this matter, please contact me on (02) 6121 6718 or via email at foi@jobs.gov.au.

Yours sincerely,



Stuart Plowman
Senior Government Lawyer
Information Law Team
Corporate Legal

15 June 2018