



Australian Government
Australian Public Service Commission

D Kemp

By email: foi+request-4707-f37ae202@righttoknow.org.au

Our reference: C18/1318

Dear D Kemp

Freedom of Information Request - Charges Preliminary Estimate – Section 29 of the FOI Act

1. I refer to your email correspondence 21 July 2018 as received by the Australian Public Service Commission (the **Commission**), requesting access under the *Freedom of Information Act 1982* (Cth) (the **FOI Act**) to the following documents:

'...email correspondence between the Australian Public Service Commissioner, Mr John Lloyd, and the former Australian Building and Construction Commissioner, Mr Nigel Hadgkiss, from 1 January 2015 onwards. I'm happy for the details of any third parties (being the personal information on any third party individuals or information relating to any third party organisations) to be crossed out of any relevant documents.'

Preliminary Assessment of the Charge

2. 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 and write to you accordingly. My preliminary assessment of that charge is \$425.13, calculated as follows:

Search, retrieval and production of document(s):	\$ 97.75
Decision-making time:	\$433.67
Less 20% discount for public interest	<u>\$106.28</u>
Total payable	<u>\$425.14</u>

3. My preliminary assessment, as outlined above, is in accordance with the applicable charges set down at Schedule 1 of the *Freedom of Information (Charges) Regulations 1982* (the FOI Regulations).

Upon review of the documents, I have estimated there are approximately:

Documents:	57 documents
Totalling:	132 pages
Formal Consultation (s 27 of FOI Act) required with:	2 parties

11. These reasons include whether payment of the charge, or part of it, would cause you or your organisation financial hardship, and whether the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public.
12. You should note that in this case, I have determined that only a small portion of the documents may attract a public interest. I have therefore applied a moderate discount of 20% to the charge relating to those documents.
13. If you wish to contend that the charge has been wrongly assessed, or that the charge should be reduced or not imposed, please set out your reasons and the evidence in support of your reasons as clearly as possible.
14. If you believe that payment of the charge would cause you or your organisation 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

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

Time limits for processing your request

16. Section 31 of the FOI Act provides that where a notice is sent to an applicant regarding the payment of a charge in respect of a request, the time limit for processing the request is suspended from the date the notice is received until either:
 - a) the day following payment of the charge (in full or the required deposit); or
 - b) if applicable, the day following the notification to the applicant of a decision not to impose the charge.

Contacts

17. If you require clarification of any of the matters discussed in this letter, you should contact the Commission's FOI Officer by email at foi@apsc.gov.au.

Yours sincerely



Kerren Crosthwaite
Group Manager
Employment Policy

29 August 2018