



8 October 2018

Our reference: LEX 39412

Mr Keith Owen

Only by email: foi+request-4787-500b26e5@righttoknow.org.au

Dear Mr Owen

Your Freedom of Information (FOI) Request - Preliminary assessment of charges

I refer to your request, dated 8 September 2018 and received by the Department of Human Services (**department**) on the same date, for access under the *Freedom of Information Act 1982 (FOI Act)*. On 24 September 2018, you revised your request in the following terms:

I seek any Memorandum of Understanding that specifically applies to the Child Support Program and the Australian Taxation Office.

I seek only current Memorandum of Understandings.

I seek any Memorandum of Understanding that applies to the Child Support Program:

1. Accessing data of individual clients from the Australian Taxation Office.
2. Data exchange for the purpose of verifying incomes on a mass basis.
3. When fraud is detected as committed by clients of the Child Support Program - specifically tax related fraud, and Child Support fraud.
4. When fraud is detected as committed by Child Support Program Employees using Australian Taxation Office data.

Preliminary assessment of the charge

The department has located five documents totalling 96 pages that are within the scope of your revised request.

In accordance with regulation 9 of the *Freedom of Information (Charges) Regulations 1982*, section 29 of the FOI Act and departmental practice to charge, I have decided that you are liable to pay a charge for the processing of your request.

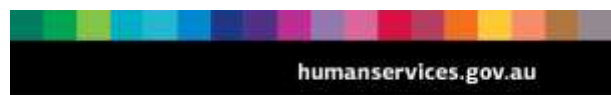
Payment of the charge does not guarantee access to documents, redacted or otherwise.

My preliminary assessment of that charge is \$41.25, calculated as follows:

Search and retrieval time: 2.75 hours, at \$15.00 per hour:	\$41.25
Decision-making time: 3.70 hours, at \$20.00 per hour	\$74.00
Deduction for first 5 hours of decision making*	(-\$74.00)

TOTAL

\$41.25



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

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;
- 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 section 29(2) of the FOI Act.

Alternatively you may wish to refine the scope of your FOI request. If you would like to discuss this please contact me for assistance.

Further information on options a), b) and c) is set out below.

Option a) - pay the charge

As the charge is between \$25 and \$100, you are required to pay a deposit of \$20 within 30 days of receiving this notice if you wish the department to continue processing the request. You may, of course, elect to pay the charge in full at this point.

You may select from one of the following payment methods:

1. Online payment via Government EasyPay - follow [this link](#) and enter the relevant details. You will need your FOI LEX reference number, **LEX 39412**; or
2. Cheque made out to the Collector of Public Monies and posted to Freedom of Information, Department of Human Services, PO BOX 7820, Canberra BC, ACT 2610; or
3. Money order made out to the Collector of Public Monies and posted to Freedom of Information, Department of Human Services, PO BOX 7820, Canberra BC, ACT 2610.

If you elect to pay the charge, please email FOI.LEGAL.TEAM@humanservices.gov.au to advise us of your payment. Please quote reference number **LEX 39412** in this correspondence.

Option b) - seek reduction or non-imposition of the charge

You may contend that the charge has been wrongly assessed, or should be reduced or not imposed. Section 29(5) of the FOI Act provides that, in deciding whether to reduce or not to impose a charge, the decision-maker must take into account any relevant reasons, including 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.

If you wish to contend that the charge has been wrongly assessed or should be reduced or not imposed, please set out your reasons and the evidence in support of your reasons as clearly as possible. 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

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

Time limits for processing your request

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.

Address for correspondence

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

Freedom of Information team
Department of Human Services
PO Box 7820
CANBERRA ACT 2610

Or by email to FOI.LEGAL.TEAM@humanservices.gov.au

Publication of information in the FOI disclosure log

Information released under the FOI Act may be published in a disclosure log on the department's website. Section 11C of the FOI Act requires this publication, subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@humanservices.gov.au

Yours sincerely

Alice

Authorised FOI Decision Maker
Freedom of Information Team
FOI and Litigation Branch Legal Services Division
Department of Human Services