



7 November 2018

Jay Doe

BY EMAIL: foi+request-4881-e95be502@righttoknow.org.au

In reply please quote:

FOI Request: FA 18/10/00822

File Number: ADF2018/210320

Dear Mr Doe

I refer to your request dated 13 October 2018 in which you have sought access to documents held by the Department of Home Affairs (the Department) under the *Freedom of Information Act 1982* (the FOI Act).

You have requested access to:

Department's guidance material on FOI Act (as mentioned in decision records).

This letter is to notify you of the decision that you are liable to pay a charge for the processing of this request.

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests, including the decision to impose a charge.

As provided under section 29 of the FOI Act and the *Freedom of Information (Charges) Regulations 1982* (the Regulations), I have undertaken a preliminary assessment of the amount of charges you are liable to pay and have assessed that to be \$15.00.

Preliminary Assessment of Charges

The Department has identified a document which falls within the scope of your request.

I have assessed the work the Department would need to do to process your request, taking into account time spent by the relevant area to conduct the search and retrieval of documents, and have calculated the following breakdown of charges.

Search and Retrieval - 1 hour @ \$15 per hour	\$ 15.00
Decision Making - 1 hour (5 hours free of charge)	\$ 0.00
Total	\$ 15.00

Details of the Charge

It has taken 1 hour to search the files identified and retrieve the document which falls within the scope of your request. The document will require a decision to be made on access, and it is estimated that this will take 1 hour (noting that the first 5 hours are free of charge).

As the charge is less than \$25.00 the full amount will be sought if the charge is imposed. Please note that by paying the charge you are deemed to have accepted the charge.

Timeframe for your response and next steps

The FOI Act provides you with 30 days to respond, in writing, to this notice, which is Friday, 7 December 2018.

By this date you **must** do one of the following:

- agree to pay the charge;
- contend that the charge has been wrongly assessed; or should be reduced or not imposed; and explain your reasons; or
- you may withdraw your request.

If you seek to contend the assessment of charges the Department may make a decision on whether a charge should be reduced or not imposed and **must** take into account:

- whether payment of the charge, or part of it, would cause you financial hardship
- whether giving access to the documents is in the general public interest or in the interest of a substantial section of the public

This is not an exhaustive list and the Department may consider any other relevant matters.

Please note that if you do not provide a written response within the 30 day timeframe your request will be taken to have been withdrawn (by you) under section 29(2) of the Act.

Payment

To indicate your agreement to pay the charge you are required to pay the deposit, or pay the charge in full.

The Department has a number of payment options available, including an online payment facility for credit/debit cards; automated telephone payment system and BPay. You may also pay the charge by cheque or money order.

Electronic funds transfer/credit card payment

If you wish to pay the charges using a credit card, the online payment facility, telephone payment system or BPay, please advise the FOI Section, and a tax invoice will be provided to you which will include full details of how the payment can be made.

Payment by cheque/money order

If you wish to pay by cheque or money order, please make the cheque/money order payable to 'Collector of Public Monies Home Affairs'; and send via post to:

Freedom of Information Section
Department of Home Affairs
PO Box 25 Belconnen ACT 2616

If the Department fails to make a decision on your request within the statutory time limit, the payment will be refunded.

Processing period suspended

The period for processing your request is suspended from the day that you are deemed to have been 'notified' of the charge and resumes on:

- the day you indicate that you agree to pay the charge; or
- the day on which this agency makes a decision not to impose a charge.

Legislation

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

Contact

If you have any enquiries concerning this matter, please contact the FOI Section at foi@homeaffairs.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Dunne'.

FOI and Records Management Branch
Productivity and Compliance Division
Corporate and Enabling Group
Department of Home Affairs