



Sunshine

Via: foi+request-4913-7a36aea0@righttoknow.org.au

Dear Sunshine

Decision to impose a charge and preliminary assessment of charges

I refer to your request for access to documents relating to the IRRS under the *Freedom of Information Act 1982* (FOI Act) dated 25 October 2018.

I am writing to advise you of my decision that you are liable to pay a charge in respect of the processing of your request. I, Gemma Larkins, legal officer in the Office of the General Counsel, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

In accordance with section 29 of the FOI Act and the *Freedom of Information Charges Regulations 1982*, my preliminary assessment of the charge you are liable to pay is \$1,765.00.

Basis for my preliminary assessment of the charge

On 7 December 2018, I wrote to you to clarify the scope of your request. I have not yet received a response.

You have sought access to *"ARPANSA's written response to the IRRS self-assessment questionnaire for the applicable modules and the analysis and results of the self-assessment."*

There are 13 modules and each module contains a word document (of varying lengths) with ARPANSA's written response, a folder with specific evidence in support of the written response and general reference evidence.

The evidence and general reference evidence is a combination of publically available information and sensitive documents relating to ARPANSA and various ARPANSA licence holders. The amount of evidence is significant and will involve a substantial degree of consultation with various internal and external stakeholders.

Since I have not received clarification from you that your request does not extend to the underlying evidence. I have calculated the charges on the basis that I need to consider this information in making my decision.

It is unlikely that charges will apply if you confirm that the only document you are seeking access to is the 200 page IRRS Advanced Reference Material Summary Report.

Document estimate	
Number of relevant documents	4000
Number of relevant pages (or other size descriptor)	

PROCESSING CHARGES		
Search and retrieval		
Task	Time (hr)	Cost @ \$15/hr
Search and retrieval of relevant electronic and registry files	1	\$15
Search and retrieval of relevant pages in file		
Preparation of schedule of documents	10	\$150
A. Search and retrieval subtotal	11	\$165
Decision making		
Task	Time	Cost @ \$20/hr
Examination of documents	50	\$1,000
Consultation with third parties	10	\$200
Preparation of documents for release	20	\$400
Preparation of notice of access decision	5	\$100
Decision making subtotal (before deduction of 5 hours)		\$1,700
B. Decision making subtotal (after deduction of first 5 hours free)		\$1,600

ESTIMATED TOTALS AND DEPOSIT	
ESTIMATED TOTAL	\$1,765.00
REQUIRED DEPOSIT	\$441.25

Your right to contend the charge

Under the FOI Act, you have the right to contend that the charge:

- has been wrongly assessed, or
- should be reduced, or
- should not be imposed.

In deciding whether a charge should be reduced or not imposed, the decision maker in our agency 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
- any other relevant matter.

Payment of a deposit

As the charge exceeds \$100, a 25 per cent deposit (\$441.25) will be sought if the charge is imposed.

The deposit is not refundable except in some limited circumstances (for example, if ARPANSA fails to make a decision on your request within the statutory time limit), or may be refundable in part if the final charge is less than the deposit paid.

Payment can be made by either bank cheque or direct deposit. Details of the bank account are attached.

The time you have to respond and what you need to do

You have 30 days to provide written notice to ARPANSA that you will do any of the following things:

- agree to pay the charge (this will mean that you will not be entitled to access the requested documents until the full charge is paid);
- contend that the charge has been wrongly assessed, or should be reduced or not imposed and explain your reasons; or
- withdraw your request.

Please send your response to FOI@arpansa.gov.au

If you do not provide us with a written response 9 February 2019 your request will be taken to have been withdrawn.

More information on charges can be found in section 29 of the FOI Act and Chapter 4 of the Office of the Australian Information Commissioner FOI Guidelines <https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-4-charges-for-providing-access>

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

Yours sincerely

Gemma Larkins (Position Number 13529)

Legal Officer
Office of the General Counsel

10 January 2019



Australian Government

Australian Radiation Protection and Nuclear Safety Agency

COMPANY NAME	Australian Radiation Protection and Nuclear Safety Agency
ADDRESS	619 Lower Plenty Road Yallambie VIC 3085
TELEPHONE NUMBER	(03) 9433 2211
FAX NUMBER	(03) 9432 1835
BANK NAME	Reserve Bank of Australia
BANK ADDRESS	20-22 London Circuit Canberra ACT 2601
BANK BSB NUMBER	092 009
BANK ACCOUNT NUMBER	11273-8
SWIFT CODE	RSBKAU2S
BANK ACCOUNT NAME	ARPANSA Official Departmental Account
ABN	61 321 195 155