



4 December 2018

Our ref: FOI-1811002

Ms Julie
Via right-to-know website
foi+request-4942-e008b563@righttoknow.org.au

Dear Ms Julie

Notice that the applicant is liable to pay a charge (s 29)

Freedom of information request no. FOI-1811002

I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act), as follows:

‘In SoR issued 1 November 2018, for Application Number 1810003, the Australian Digital Health Agency (ADHA) referred to, and extracted some points from, briefs/documents prepared for ADHA’s representatives to use at the recent Senate Estimates hearings.

I request, under FOI, copy of these briefs. While some of the contents would have been repeated by those subject to questioning by the Senate Estimates Committee, not everything briefed on gets said, as it is decided by what the Committee members ask, not what those being questioned wish for.

I note that as briefing material for Senate Estimates is all prepared on the basis it may be stated during these public proceedings, clearance for FOI release should be reasonably straightforward, and given the recency of Senate Estimates, should be able to be quickly located.’

I have taken your request to be for:

‘Australian Digital Health Agency (the Agency) Senate Estimates Briefs documents prepared for the Agency’s appearance at the Senate Supplementary Budget Estimates Hearing, Senate Community Affairs Legislation Committee, Wednesday, 24 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, Bettina McMahon, 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 \$138.07.

Basis for my preliminary assessment of the charge

I have assessed the work the Australian Digital Health Agency would need to do to process your request and have calculated a breakdown of charges, provided in detail as attached.

Your right to contend the charge

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

- has been wrongly assessed;
- 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; and
- any other relevant matter.

Payment of a deposit

As the charge exceeds \$100, a 25 per cent deposit of \$34.52 is payable to progress the request.

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

The Agency can accept Electronic Funds Transfer (EFT, and is preferred), money order or cheque payments.

If you choose to pay by EFT, please contact the FOI Unit directly to receive bank account information (note: the Agency will not provide this information on public websites).

Email: FOI@digitalhealth.gov.au
Phone: (02) 6223 0780

If you choose to pay by cheque (personal or bank) or money order it should be made payable to the Australian Digital Health Agency, quote the Reference FOI-1811002, and sent to the following address:

FOI Unit
Australian Digital Health Agency
Scarborough House
Level 7, 1 Atlantic Street
Woden ACT 2606

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

You have 30 days to respond in writing to this notice. We therefore expect a response from you by 3 January 2019. By that date, you must do one of the following things in writing:

- 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 the Agency's FOI mailbox, FOI@digitalhealth.gov.au, quoting reference number FOI-1811002.

If you do not provide us with a written response by 3 January 2019, your request will be taken to have been withdrawn.

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.

Questions about this notice

If you have any questions or wish to discuss this notice with us, please contact the Agency's FOI unit:

Email: FOI@digitalhealth.gov.au

Phone: (02) 6223 0780

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B. McMahon', is positioned above the typed name.

Bettina McMahon
Chief Operating Officer
Australian Digital Health Agency

Assessment of Charges FOI request FOI-1811002

Detailed breakdown of assessment of charges for FOI request 1811002:

Document estimate	
Number of relevant documents	1
Number of relevant pages (or other size descriptor)	76

PROCESSING CHARGES		
Search and retrieval		
Task	Time (hours)	Cost @ \$15/hr
Search and retrieval of relevant electronic and registry files	0.17	\$2.50
Search and retrieval of relevant pages in file	0.75	\$11.25
Preparation of schedule of documents	0	\$0
A. Search and retrieval subtotal	0.92	\$13.75
Decision making		
Task	Time (hours)	Cost @ \$20/hr
Examination of documents	6.33	\$126.67
Consultation with third parties	0	\$0
Preparation of documents for release	0.66	\$13.33
Preparation of notice of access decision	4.22	\$84.32
Decision making subtotal (before deduction of 5 hours)	11.22	\$224.32
B. Decision making subtotal (after deduction of first 5 hours free)	6.22	\$124.32

ACCESS AND DELIVERY CHARGES		
	No. of pages	Cost
Transcription (\$4.40/page)	0	\$0
Photocopy (\$0.10/page)	0	\$0
Other copies (\$4.40/page)	0	\$0
		Cost
Electronic production (actual cost)	0	\$0
Replay [replaying of sound or film] (actual cost)	0	\$0

Delivery (actual cost)	0	\$0
	Time	Cost
Inspection (@ \$6.25 per half hour)	0	\$0
<i>C. Access and delivery charges subtotal</i>	<i>0</i>	<i>\$0</i>

ESTIMATED TOTALS AND DEPOSIT	
ESTIMATED TOTAL (total of A, B and C)	\$138.07
REQUIRED DEPOSIT	\$34.52