



4 September 2019

Our reference: LEX 46629

RK Crosby

Only by email: [foi+request-5571-c7ffb8ac@righttoknow.org.au](mailto:foi+request-5571-c7ffb8ac@righttoknow.org.au)

Dear RK Crosby

**Freedom of Information Request - Charges**

I refer to your request received by the Department of Human Services (**department**) on 10 August 2019, for access under the *Freedom of Information Act 1982 (FOI Act)*, made in the following terms:

I would like to know how many people disabled by migraine are currently in receipt of Disability Support Pension.

Please provide any document or documents that detail the number of people with Migraine listed as their disability or illness, currently in receipt any Centrelink benefit, broken down by type of benefit. If the document can indicate the percentage of DSP or Centrelink clients affected by migraine, or if additional documents (such as the entire number of clients) can be provided in order that we can calculate percentages, that would also be very useful.

If such a document does not exist, please provide any document you have (if any) that indicates the prevalence of migraine among Centrelink clients.

Note I am only looking for numbers (in order to try and calculate fiscal impact of new migraine prevention drugs currently being blocked by PBAC), not the personal details of any Centrelink client.

**Preliminary Assessment of the Charge**

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. Please note that the payment of the charge does not guarantee access to the requested document, in full or in part, it is a charge to process the request under the FOI Act. My preliminary assessment of that charge is \$45.00 calculated as follows:

|  |         |
|--|---------|
| Search and retrieval time: 3.5 hours, at \$15.00 per hour:                         | \$45.00 |
| Decision-making time (*after deduction of 5 hours): 0.0 hours, at \$20.00 per hour | \$0.00  |

**TOTAL \$45.00**

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

I am advised that the department will need to collate the relevant data (to the extent that it holds the relevant data) in order to provide it in a discrete form. This has added to the search and retrieval time.



## 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

Alternatively, you may wish to withdraw your request for access.

If you do not provide a written response in accordance with one of options a) or b) 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.

Further information on options a) and b) are set out below.

### Option a) - pay the charge

As the charge exceeds \$25, you are required to pay a deposit of \$20.00 within 30 days of receiving this notice. 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 46629**; 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](mailto:FOI.LEGAL.TEAM@humanservices.gov.au) to advise us of your payment. Please quote reference number **LEX 46629** 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.

## **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](mailto: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**

Total figures for current payment recipients (by payment type and other variables) are provided on a regular basis on the data.gov.au website. Relevant information can be found at the following web address: <https://data.gov.au/data/dataset/dss-payment-demographic-data> . For example the web address contains the number of payment recipients on the Disability Support Pension.

The department's annual report also contains some information concerning payment recipients: <https://www.humanservices.gov.au/organisations/about-us/annual-reports>

If you have any FOI questions please email [FOI.LEGAL.TEAM@humanservices.gov.au](mailto:FOI.LEGAL.TEAM@humanservices.gov.au)

Yours sincerely

## **Robert**

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