



Australian Government
Department of Employment,
Skills, Small and Family Business

Our Ref LEX 38841

Richard Smith
Right to Know

By email: foi+request-5785-945bd96d@righttoknow.org.au

Dear Mr Smith

Your Freedom of Information request - charge

I refer to your request, received by the Department of Employment, Skills, Small and Family Business (the department) on 25 October 2019, for access under the *Freedom of Information Act 1982* (FOI Act) to the following documents:

- '...a) Documents detailing the process of searching for, interviewing, considering and selecting suitable candidates for the National Careers Ambassador;
- b) Documents detailing the Position Description of the National Careers Ambassador;
- c) Documents detailing the level and form of remuneration of the position of National Careers Ambassador paid by the Commonwealth for the period 1 July 2019 to 30 June 2021;
- d) Documents detailing the total budgeted cost expected to be incurred by the Commonwealth for the National Careers Institute for the period 1 July 2019 to 30 June 2021; and
- e) Documents detailing the decision making in regards to the Commonwealth's determination of the need for and the formulation of aims of the Institute in establishing the National Careers Institute.'

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. My preliminary assessment of that charge is **\$340.50** calculated as follows:

Search and retrieval time: 7.5 hours, at \$15.00 per hour	\$112.50
Consultation with 3 of third parties, one hour per party, at \$20.00 per hour	\$ 60.00
Decision-making time (*after deduction of 5 hours): 8.4 hours, at \$20.00 per hour	\$168.00
TOTAL	\$340.50

*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 has in its possession 28 documents with 68 pages relevant to your request.

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:

- agree to pay the charge;
- wish to contend that the charge has been wrongly assessed or should be reduced or not imposed or both; or
- withdraw your request.

If you do not provide a written response in accordance with one of the above options within 30 days of receiving this notification, your request will be taken to have been withdrawn under section 29(2) of the FOI Act.

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

Option - pay the charge

As the charge exceeds \$25, you are required to pay a deposit of \$85.13 within 30 days of receiving this notice. You may, of course, elect to pay the charge in full at this point.

Payment can be made by:

- cheque or money order made out to the Collector of Public Monies - Department of Employment, Skills, Small and Family Business and forwarded to the following address:

Corporate Legal
LOC: C12MT1-LEGAL
GPO Box 9880
CANBERRA ACT 2601 AUSTRALIA

- credit card by completing the attached credit card authorisation and sending a scanned copy to foi@employment.gov.au or posting it to the above address.

Option - 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 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 - 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:

- the day following payment of the charge (in full or the required deposit); or
- if applicable, the day following the notification to the applicant of a decision not to impose the charge.

Consultation

Your request covers documents that have personal information about another person. Your request also covers documents that have information about the business affairs of other persons. I need to ask that person about releasing their information before making a decision on your request.

Under the FOI Act, the department has extended the time for processing your request by 30 days. This will allow me time to consult with the other person. To assist you, I have set out the relevant sections of the FOI Act at **Attachment A**.

Further assistance

If you have any questions, please email foi@employment.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Sinead', with a stylized flourish at the end.

Sinead
Authorised Decision Maker
Corporate Legal

15 November 2019

Relevant sections of the *Freedom of Information Act 1982*

Charge

Section 29(1) of the FOI Act provides that, where the department decides that an applicant is liable to pay a charge in respect of a request for access to a document, or the provision of access to a document, the department must give the applicant written notice. The notice must state, among other things, that the applicant must within 30 days after the notice was given tell the department in writing that the applicant:

- agrees to pay the charge;
- wishes to contend that the charge has been wrongly assessed or should be reduced or not imposed or both; or
- wishes to withdraw the request.

Under section 29(2) of the FOI Act, if the applicant does not do one of these things within 30 days, the request will be taken to have been withdrawn.

Consultation

Section 27 of the FOI Act provides that if the department receives a request for access to documents containing information in relation to the business or professional affairs of a person and believes the person may object to the release of the documents, we are required to consult with that person before making a decision on access to the documents.

Section 27A of the FOI Act provides that if the department receives a request for access to documents containing the personal information of another person and believes the person may object to the release of the documents, we are required to consult with that person before making a decision on access to the documents.

Section 15(6) of the FOI Act provides that when the department consult with a person under section 27A of the FOI Act, the 30 day period for processing a request under the FOI Act is extended by 30 days.

Credit Card Authorisation

About this form

You have advised the Department of Employment, Skills, Small and Family Business that you would like to pay the charge imposed for the processing of your Freedom of Information (FOI) request by credit card. This form collects the details required from you in order to process that payment by credit card. Please ensure all fields have been filled in correctly.

Part 1: Applicant Details

Name:

Contact number:

Part 2: Credit Card Details

I authorise the Department of Employment, Skills, Small and Family Business to debit my credit card in the amount of:
(please specify amount in the space provided)

Cardholder's Name (please print name in capital letters):

Credit Card Number:

Credit Card Type:
(Diners Card not accepted)

Credit Card
Expiry Date:

CCV Number

Card Holders Signature:

Date:

Privacy Statement

The personal information collected on this form is collected by the Department of Employment, Skills, Small and Family Business (the department) for the purpose of administering payment of the charge imposed for processing your FOI request. The personal information collected will only be used for this purpose and any related purposes. The personal information collected will not be disclosed unless authorised or required by law. Further information on how you may access or seek correction of your personal information held by the department or how you may make a complaint is available in the department's [Privacy Policy](#).