



Administrative Appeals Tribunal

FOI ref: 2020/0016

19 March 2020

Mr John Smith
By email: foi+request-6163-98f1799f@righttoknow.org.au

Dear Mr Smith,

Notice that you are liable to pay a charge for your Freedom of Information request no. 2020/0016

I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act).

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests. 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.

In accordance with section 29 of the FOI Act and the *Freedom of Information Charges Regulations 1982*, my preliminary estimate of the charge you are liable to pay is \$6,218.

Basis for my preliminary estimate of the charge

A staff member has conducted a search for files relating to your request. The number of pages requiring examination to determine whether or not they fall within the scope of your request is estimated at 1,754. These are in electronic format. This includes emails, reports, spreadsheets and contracts. The calculations below are based on sample processing times and prior experience of processing matters of similar size.

I have assessed the work the AAT would need to do to process your request and have calculated the following breakdown of charges:

Document estimate	
Number of potential pages relevant to your request (excluding computer generated report)	1,754

PROCESSING CHARGES		
Search and retrieval		
Task	Time	Cost @ \$15/hr
Search and retrieval of relevant documents	13 hours	195.00
Collation of emails, contracts and reports including	35 hours	526.00



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printing, sorting and assessment of scope		
Preparation of a report from the AAT's Finance Database (Part 3 of your request)	12 hours	180.00
Preparation of schedule of documents, including sorting, cross checking and describing documents	3 hours	45.00
A. Search and retrieval subtotal		946.00

Decision making		
Task	Time	Cost @ \$20/hr
Examination of documents, including reading all documents and consideration of exemptions for 1,754 pages	146 hours	2,920.00
Consultation with third parties under section 27 and s27A (estimate 24 persons and 4 entities may reasonably wish to raise an exemption)	28 hours	560.00
Preparation of documents for release, including marking redactions, and copying to disk	88 hours	1,760.00
Preparation of notice of access decision, including proof reading	6 hours	120.00
Decision making subtotal (before deduction of 5 hours)		5,360.00
B. Decision making subtotal (after deduction of first 5 hours free)	-5 X 20	5,260.00

ACCESS AND DELIVERY CHARGES		
		Cost
Delivery (actual cost)	1 satchel	12.20
	Time	Cost
Inspection (@ \$6.25 per half hour)		
C. Access and delivery charges subtotal		12.20

ESTIMATED TOTALS AND DEPOSIT	
ESTIMATED TOTAL (total of A, B and C)	6,218.00
REQUIRED DEPOSIT	1,554.00 (rounded)



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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 **\$1,554** will be sought if the charge is imposed.

The deposit is not refundable except in some limited circumstances for example, if the AAT 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.

Should you decide to pay the charge, please contact us regarding the method of payment.

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 **20 April 2020**. 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
- withdraw your request.

Please send your response to:

foi@aat.gov.au

If you do not provide us with a written response by **20 April 2020** your request will be taken to have been withdrawn.

Questions about this notice

If you have any questions or wish to discuss this notice with us, please contact me on 02 9276 5449 or by return email.



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More information about charges under the FOI Act is available on the Office of the Australian Information Commissioner's website: www.oaic.gov.au.

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.

Sincerely,

[Signed]

Skye M

Authorised AAT Officer