



FOI Reference: LEX2264
3 August 2020

Henry
By email to: foi+request-6473-1f7fe6a7@righttoknow.org.au

Dear Sir/Madam

Re. Freedom of Information Request

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

"...the reported Trans Tasman bubble framework plan which your department has been involved in creating. This is the document created by the 'Trans-Tasman Safe Border Group'".

I also refer to your e-mail of 27 July 2020 requesting a waiver of the charges imposed for the processing of your FOI request on the grounds of public interest.

I am an officer authorised under section 23 of the FOI Act to make decisions on the waiver of charges for processing your request.

Decision

I have decided not to waive the processing charges. The original charge of \$69.33 stands.

Reasons for my decision

In reaching my decision, I have taken note of your email, setting out your reasons for requesting waiver of the charges.

I note you have submitted that giving access to the documents is in the interests of a substantial percentage of the population on the basis that the documents will enable that percentage of the population know what a potential Trans-Tasman travel bubble may look like should it occur later in the year.

I agree that this matter is an issue of public interest. However, I am not satisfied the giving of access to the documents in question would be *in the general public interest* nor of interest to a substantial sector of the general public. This is because I do not consider the material captured by your request would add value to existing public debate and understanding of the issues which you have identified as being of interest. There is publicly available information, in Australian and New Zealand media services, that detail the potential options for the Trans-Tasman travel bubble.

Accordingly, I am of the view that there is no public interest in waiving the FOI processing charges in relation to your FOI application.

I note that you have not made a submission that the payment of the charge, or part of it, would cause you financial hardship. Accordingly, I am of the view that payment of the charge will not cause you financial hardship.

Please note that at this stage in the FOI process, no decision has been made on whether the documents you seek will be released or exempted under the provisions of the FOI Act. My decision relates only to the processing charges.

You now have 30 days within which to:

- pay the charges deposit of \$20.00
- seek review of my decision (as per the enclosed information); or
- withdraw your FOI request.

If we do not receive a response from you as outlined above within 30 days of your receipt of this letter, your request will be deemed to have been withdrawn, in accordance with section 29 of the FOI Act. Your review rights are attached.

Should you have any queries, or wish to discuss revising the terms of your request, please contact me by email at foi@dfat.gov.au

Yours sincerely



Lindsay Buckingham
Director
Freedom of Information and Privacy Law Section

Your review rights

Internal review

You may apply for internal review of the decision (section 54 of the FOI Act). The internal review application must be made within 30 days of the date of this letter.

Where possible, please attach reasons why you believe review of the decision is necessary.

The internal review will be carried out by another officer within 30 days.

Any request for internal review should be directed via email to foi@dfat.gov.au or addressed to:

Freedom of Information and Privacy Law Section
Department of Foreign Affairs and Trade
R G Casey Building
John McEwen Crescent
Barton ACT 0221
Australia

Australian Information Commissioner

You may apply within 60 days of the date of this letter to the Australian Information Commissioner to review my decision (section 54L of the FOI Act).

You may also make a complaint to the Australian Information Commissioner about the Department's actions in relation to this decision (section 70 of the FOI Act). Making a complaint about the way the Department has handled your FOI request is a separate process to seeking review of my decision.

Further information on applying for an Australian Information Commissioner review is available at: <https://www.oaic.gov.au/freedom-of-information/foi-review-process>

Further information about how to make a complaint is available at: <http://www.oaic.gov.au/freedom-of-information/foi-complaints>