



21 August 2020

Our reference: LEX 57145

John

Only by email: RTK <foi+request-6528-a7ea8c16@righttoknow.org.au>

Dear John

Freedom of Information Request - Charges

I refer to your request dated and received by Services Australia on 25 July 2020, for access under the *Freedom of Information Act 1982 (FOI Act)*, made in the following terms:

'I request any document showing the dates Annette Mussolio was in the Chief Counsel position. This could be a report from a database as required by s17. I also request any document showing the dates Annette Mussolino was in the Deputy CEO Integrity position. Historical org charts show around 2015 and 2018 respectively.

For the dates Annette Musolino was given these positions, I request any document showing who the Secretary of the Department was.'

On 30 July 2020, Services Australia consulted with you under section 24AB of the FOI Act advising that your request did not provide sufficient information to identify the documents you require.

On 10 August 2020, you revised the scope of your request to the following:

Just give me the report for the chief counsel role for who was in it from 1 July 2015 up to 30 June 2020

And a report for who was in the deputy ceo role of integrity for 1 July 2015 up to 30 June 2020.

Preliminary Assessment of the Charge

In responding to your request, Services Australia's People Branch created 1 document with 3 pages (the **created document**). The People Branch has advised that the document creation took a total of 2 hours to complete.

In accordance with section 29 of the FOI Act and the *Freedom of Information (Charges) Regulations 1982 (Regulations)*, I have decided that you are liable to pay a charge for the processing of your request. In accordance with Item 2 of Part 1 of Schedule 1 of the Regulations, my preliminary assessment of that charge is \$115.02.

Required Action

If you would like Services Australia to continue processing your request, you must notify Services Australia 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;
- 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with one of options a) or b) above within 30 days of receiving this notice, your request will be taken to have been withdrawn under section 29(2) of the FOI Act.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 \$100.00, you are required to pay a deposit of \$28.76 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 57145**; or
2. Cheque made out to the Collector of Public Monies and posted to Freedom of Information, Services Australia, 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, Services Australia, PO BOX 7820, Canberra BC, ACT 2610.

If you elect to pay the charge, please email FOI.LEGAL.TEAM@servicesaustralia.gov.au to advise us of your payment. Please quote reference number **LEX 57145** 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
Services Australia
PO Box 7820
CANBERRA ACT 2610

Or by email to FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Publication of information in the FOI disclosure log

Information released under the FOI Act may be published in a disclosure log on Services Australia'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

If you have any questions please email FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Yours sincerely

Don
Authorised FOI Decision Maker
Freedom of Information Team
Employment Law and FOI Branch Legal Services Division
Services Australia