



Australian Government
**Department of Infrastructure, Transport,
Regional Development and Communications**

FOI reference number: 21-052

Via email

Dear Requester

I refer to your request to the Department of Infrastructure, Transport, Regional Development and Communications (**department**) received on 24 September 2020 for access to documents under the *Freedom of Information Act 1982 (FOI Act)*. You requested the following documents:

Requesting following for Call of Duty Black Ops Cold War:

- Classifier note;
- Decision document;
- Application for classification and its supporting material;
- Screenshot showing information from the database as seen by the Classification Board;
- Email and its attachment to and/or from applicant, Classification Board, distributor, publisher, developer;
- Form and its attachment to and/or from applicant, Classification Board, distributor, publisher, developer.

This request includes personal information but does not include the game itself.

I have interpreted your request broadly, in particular the final two points. If you wish to clarify your request to reduce charges, please contact the FOI Coordinator.

Authority

I am an officer authorised by the Secretary to make decisions about charges applying to requests for access to documents in accordance with the FOI Act and *Freedom of Information (Charges) Regulations 1982 (FOI Regulations)*.

Charges

Section 29 of the FOI Act authorises an agency to impose a charge in respect of a request for access to a document. I have decided that charges should be imposed, consistent with the FOI Regulations.

Preliminary assessment of the amount of the charge

The department has now completed a search for documents. The preliminary assessment of the charge to process your request is calculated as follows:

3.20 hours	Search and retrieval time, at \$15 per hour	\$ 48.00
13.14 hours	Document preparation and decision making time*, at \$20 per hour	\$ 276.80
	(*there is no charge for the first five hours of decision making time)	(\$100.00)
TOTAL		\$ 224.80

Please be aware that the department's charges relate to the processing of your request, including but not limited to search and retrieval, consultation, and decision making. These tasks still need to

be done in the case where documents are exempt, and payment is no guarantee that a decision will be made to grant access to the documents.

In accordance with Regulation 10(1), the charges will be reassessed upon finalisation of the request. If it becomes apparent that the department has over-estimated the preliminary charges and you have paid the full amount, a refund will be provided, or, if a deposit has been paid, an appropriately reduced balance will be sought from you, prior to providing you with documents relevant to your request.

Seeking reduction or non-imposition of the charge

You may contend that the charge has been wrongly assessed, or should be reduced or not imposed. 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 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.

What you must do now

In accordance with paragraph 29(1)(f) of the FOI Act, you must, within the period of 30 days from the date of this notice, notify the department, in writing:

- (i) of your agreement to pay the charge, or
- (ii) of your contention that the charge has been wrongly assessed, or should be reduced or not imposed, or both (and provide reasons), or
- (iii) that you withdraw your request.

Under section 31 of the FOI Act, the time limit for processing your request is suspended from the day that you receive this notice. It will resume on either the day you pay the charge (in full or the required deposit) or the day the department makes a decision not to impose a charge.

If you fail to give the department such notice within 30 days from the date of this notice, your request for access to the document/s will be taken to have been withdrawn.

Paying the charge

If you agree to pay the charge, you must pay the whole charge, or a deposit of \$56.20 within 30 calendar days of receiving this notice. If you elect to pay a deposit, please note the document/s will not be released until the assessed charge is received in full. Payment can be made by credit card, money order or cheque. To make payment by credit card, please complete and forward the enclosed credit card payment authority form to the following address:

Post: FOI Coordinator
Department of Infrastructure, Transport, Cities and Regional Development
GPO Box 594
Canberra ACT 2601

Email: FOI@infrastructure.gov.au

Third party Consultation

While processing your request, the department has identified that your request includes documents containing business and personal information. In accordance with sections 27 and 27A of the FOI

Act, the department is required to consult with relevant entities before making a decision on release of documents.

To allow this, the processing time limit for your request has been extended by 30 days in accordance with section 15(6) of the FOI Act.

Contacts

If you wish to discuss this matter, please contact the department's FOI Coordinator on (02) 6274 7393 or via email at FOI@infrastructure.gov.au

Yours sincerely



Aaron O'Neill
Assistant Secretary
Classification Branch

23 October 2020



Australian Government
 Department of Infrastructure, Transport,
 Regional Development and Communications

**Credit Card
 Payment Authority**

Freedom of Information Request

To make a credit card payment of the charges associated with processing your Freedom of Information request with the Department of Infrastructure, Transport, Regional Development and Communications (the department), please complete your credit card details below.

Please charge: Bankcard MasterCard Visa

Cardholder's Name:

Credit card number: Expiry date: /

Credit card CVV number:

the amount of \$ _____ : _____ for payment to the department

Cardholder's Signature:

Contact Details
 (phone and email)

To make your payment, please forward this signed form either:

by mail to:
 Attn: FOI Coordinator
 Department of Infrastructure, Transport, Regional
 Development and Communications
 GPO Box 594
 Canberra ACT 2601

by fax to:
 (02) 6275 1347

by email to:
FOI@infrastructure.gov.au

Please provide the tracking number of your Freedom of Information request: FOI 21- _____

The Department is collecting this information for the purposes of processing a payment regarding your FOI application under the Freedom of Information Act 1982. Information will not be disclosed to any third parties. If you do not provide the information requested payment may be delayed or not processed. The Department's on-line privacy policy contains information regarding complaint handling processes and how to access and/or seek correction of personal information held by the Department. The Privacy Officer can be contacted on (02) 6274 6495 or at privacy@infrastructure.gov.au