

DHA Ref: FOI2021-18

9 April 2021

Ms Jean Smith

Dear Ms Smith,

Notice of Charges under the Freedom of Information Act 1982 (the FOI Act)

I refer to your request of 23 March 2021 made under the *Freedom of Information Act 1982* (the FOI Act) for the following documents:

... copies of the maintenance records for 79 Narden St, Crace ACT 2911 over the course of the last 3 years [25 March 2018 to 24 March 2021].

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

In accordance with section 29 of the FOI Act and the *Freedom of Information Charges Regulations 1982*, my preliminary assessment of the charge you are liable to pay is **\$391.50**.

Basis for my preliminary assessment of the charge

I have assessed the work Defence Housing Australia (DHA) would need to do to process your request and have calculated the following breakdown of charges:

Document estimate	
Number of relevant documents	156
Number of relevant pages (or other size descriptor)	318

PROCESSING CHARGES			
Search and retrieval			
Task	Time (hours)	Cost @ \$15/hr	
Search and retrieval of relevant documents	3.0	45.00	
Collation and preparing schedule of documents	3.6	54.00	
A. Search and retrieval subtotal	6.6	99.00	
Decision making	i .		
Task	Time (hours)	Cost @ \$20/hr	
Examination of documents	2.65	53.00	
Consultation with third parties	12	240.00	
Redacting exempt material	1.33	26.50	
Statement of reasons for release	3.65	73.00	
Decision making subtotal (before deduction of 5 hours)	8.6	392.50	
B. Decision making subtotal (after deduction of first 5 hours free)	3.6	292.50	

ESTIMATED TOTALS AND DEPOSIT		
ESTIMATED TOTAL (total of A and B)	\$391.50	
REQUIRED DEPOSIT	\$97.88	

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 document[s] 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 (\$97.88) will be sought if the charge is imposed.

The deposit is not refundable except in some limited circumstances (for example, if DHA 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.

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 **9 May 2021**. By that date, you must do one of the following in writing:

- pay the charge in full
- pay the deposit (this will mean that you will not be entitled to access the requested documents until the full charge is paid)
- 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:

XXX@XXX.XXX

If you do not provide us with a written response by **9 May 2021** your request will be taken to have been withdrawn.

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.

Should you wish to proceed with your request, please advice in your response the method of payment you have completed and any relevant reference numbers, or if you intend on making payment at a future date, the date by which DHA is likely to receive payment.

Method of payment

Electronic Funds Transfer (EFT) Payment

Name: DHA - Miscellaneous Account

Bank: Westpac

BSB: 032-729

Account: 225729

Reference Number: FOI2021-18

If you have any questions or wish to discuss this notice with us, please contact me at xxx.@xxx.xxx.xx.

More information about charges under the FOI Act is available on the Office of the Australian Information Commissioner's website: https://www.oaic.gov.au/freedom-of-information/guidance-and-advice/calculating-and-imposing-charges-for-foi-access-requests/ and in the *Guidelines issued by the Australian Information Commissioner under s 93A of the* Freedom of Information Act 1982 https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-4-charges-for-providing-access/.

Yours sincerely,

Sally

Assistant Director Privacy and Compliance Defence Housing Australia