



Australian Government
Department of Finance and Deregulation

Reference: FOI 13/32
Contact: FOI Team
Telephone: 02 6215 1783
e-mail: foi@finance.gov.au

Margo Kingston

via email: foi+request-73-309e8af4@righttoknow.org.au

Dear Ms Kingston

Freedom of Information Request – FOI 13/32

I refer to your email to the Department of Finance and Deregulation (Finance), dated 10 April 2013, in which you agreed to revise the scope of your FOI request to:

All correspondence to or from Mr Peter Slipper between April 2012 – January 2013 concerning travel costs incurred by Mr Slipper, excluding any material regarding any FOI correspondence;

All correspondence to or from any Member of Parliament in relation to requests to repay travel costs deemed outside entitlement in accordance with what is described as “the Minchin Protocol” between January 2010 to January 2013.

Liability to pay a charge

In accordance with section 29 of the FOI Act, the decision-maker has decided that you are liable to pay a charge in respect of the processing of your request. The decision-maker’s preliminary assessment of that charge is as follows:

Task	Rate	Units	Charge
Search & retrieval	\$15 per hour	12.42 hours	\$ 186.25
Decision-making	\$20 per hour	17.13 hours	\$ 342.56
<i>less first 5 hours free</i>		5 hours	\$ -100.00
Photocopies	0.10 per page	132 pages	\$ 13.20
TOTAL			\$ 442.01

In accordance with the *Freedom of Information (Charges) Regulations 1982*, this estimate has included 5 hours of decision making time free of charge.

You can agree to pay the charge. If you agree, processing of your request will resume as soon as the Department receives either the full payment or the deposit.

- Payment in full is **\$442.01**. Payment in full entitles you to receive a decision in relation to your request, a schedule which lists the documents relevant to your request, and any documents released.
- Regulation 12 of the Charges Regulations provides that the Department can require a deposit. The required deposit for this request is **\$110.50**.
- Payment of a deposit entitles you to receive a decision in relation to your request and a schedule which lists the documents relevant to your request. Relevant documents would only be released on payment of the balance of charges. Regulation 14 provides that a deposit paid by an applicant is not refundable unless the Department decides to waive the charge or fails to make a decision on the applicant's FOI request within the statutory time limit, including any extension.

Your cheque/money order should be made payable to the *Collector of Public Monies* and addressed to:

FOI Coordinator
Legal & Strategic Support Branch
Department of Finance and Deregulation
John Gorton Building
King Edward Terrace
PARKES ACT 2600

If you wish to pay by credit card, you should forward a letter which sets out the credit card details and authorises the Department to charge that amount to the card. Please note that the department only accepts Mastercard and Visa.

In accordance with paragraph 29(1)(f) of the FOI Act, within 30 days of the date of this notice, you need to either:

- agree to pay the charge indicated above and forward the deposit; or
- contend that the charge has been wrongly assessed, or should be reduced or not imposed (you should provide full reasons for your contention); or
- withdraw your request.

If you contend that the charge has been wrongly assessed, or should be reduced or not imposed, such a contention is **not** a request for internal review. You will be advised of your review rights under section 54 of the FOI Act following the decision-maker's consideration of your contentions. In deciding whether to reduce or not impose a charge, the decision-maker must, amongst other things, take into account 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.

If you fail to notify Finance in a manner described above within 30 days of the date on this notice, your request will be taken to have been withdrawn.

Please **note** that should you forward a deposit in accordance with section 29 of the FOI Act, you accept liability for settlement of the debt with the Department upon completion of processing the FOI request. The outstanding charge amount is a debt created in favour of the Commonwealth and therefore, Finance is obliged to pursue recovery of the debt in accordance with the *Financial Management and Accountability Act 1997*.

Processing Time

In relation to the preliminary assessment of charges, in accordance with section 31 of the FOI Act, the time period for processing your request is suspended from the date of this notice and resumes on either day you pay the deposit or the day on which Finance makes a decision not to impose a charge. However, the actual processing time may also be affected by third party consultation.

Extension of Time - Third Party Consultation

As documents falling within the scope of your request may involve the unreasonable disclosure of the personal information of third parties, the decision maker is obliged under section 27A of the FOI Act to consult with the third parties and give them an opportunity to make submissions regarding possible disclosure of the documents. The decision maker must take their views into account in determining whether a document is an exempt document.

To enable time for the consultation process, subsection 15(6) of the FOI Act extends the period in which to respond to your request by an additional 30 days. You will be notified of the due date once you have advised the Department in relation to the charges.

Publication

The FOI Act requires Commonwealth agencies to publish:

- information in documents to which the agency routinely gives access in response to FOI requests except where that information is exempt under the FOI Act; and
- information in documents released under the FOI Act.

Subject to certain exceptions, any documents provided to you under the FOI Act will be published on Finance's FOI Disclosure Log (www.finance.gov.au) as soon as possible after they are released to you, usually 1 – 2 working days.

Please contact Finance on the above contact details if you wish to discuss your request.

Yours sincerely



FOI Team
Legal & Strategic Support Branch

11 April 2013