



FOI 14/265; 14/16531

12 January 2015

Mr Philip Sweeney  
 12 Highland Way  
 HIGHTON 3216 VIC

By email only: [foi+request-830-86028056@righttoknow.org.au](mailto:foi+request-830-86028056@righttoknow.org.au)

Dear Mr Sweeney,

**Your Freedom of Information Request no. FOI 14/265**

I refer to your request under the *Freedom of Information Act 1982* (**the FOI Act**) for access to documents relating to white collar crime in Australia. On 21 December 2014 you requested access to a specific set of documents:

*The document I seek includes on the front page the words:*

*"Australia's Worst White-Collar Crime How the Commonwealth Attorney-General can prove the fraud".*

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, Anthony Coles, am an officer authorised 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*, and following your revision of the scope of your request on 8 November 2014, my preliminary assessment of the charge you are liable to pay is \$492.92.

**Basis for my preliminary assessment of the charge**

I have assessed the work Attorney-General's Department would need to do to process your request and have calculated the following breakdown of charges:

<b>Document estimate</b>	
Number of relevant documents	8
Number of relevant pages (or other size descriptor)	96

<b>PROCESSING CHARGES</b>		
<b>Search and retrieval</b>		
<b>Task</b>	<b>Time</b>	<b>Cost @ \$15/hr</b>
Search and retrieval of relevant electronic and registry files	0.33	\$5.00

Search and retrieval of relevant pages in file	1.50	\$22.50
Preparation of schedule of documents	0.25	\$3.75
<b>A. Search and retrieval subtotal</b>	<b>2.08</b>	<b>\$31.25</b>
<b>Decision making</b>		
<b>Task</b>	<b>Time</b>	<b>Cost @ \$20/hr</b>
Examination of documents	8.00	\$160.00
Consultation with third parties	20.00	\$400.00
Preparation of documents for release	0.08	\$1.67
Preparation of notice of access decision	0.00	\$0.00
<b>Decision making subtotal (before deduction of 5 hours)</b>	<b>28.08</b>	<b>\$561.67</b>
<b>B. Decision making subtotal (after deduction of first 5 hours free)</b>	<b>23.08</b>	<b>\$461.67</b>

<b>ACCESS AND DELIVERY CHARGES</b>		
	<b>No. of pages</b>	<b>Cost</b>
Transcription (\$4.40/page)	0	\$0.00
Photocopy (\$0.10/page)	96	\$0.00
Other copies (\$4.40/page)	0	\$0.00
		<b>Cost</b>
Electronic production (actual cost)	0	\$0.00
Replay [replaying of sound or film] (actual cost)	0	\$0.00
Delivery (actual cost)	0	\$0.00
	<b>Time</b>	<b>Cost</b>
Inspection (@ \$6.25 per half hour)	0	\$0.00
<b>C. Access and delivery charges subtotal</b>		<b>\$0.00</b>

<b>ESTIMATED TOTALS AND DEPOSIT</b>	
<b>ESTIMATED TOTAL (total of A, B and C)</b>	<b>\$492.92</b>
<b>REQUIRED DEPOSIT</b>	<b>\$123.23</b>

This preliminary assessment of the charges is based on the number of documents that fall within the scope of your request. Also taken into account is an estimate of the number of pages that would need to be examined in order to make a decision about providing you with access to those documents.

I note that 90 pages of documents which come within scope of your request were sent by you to the Attorney-General on 17 December 2014. Therefore this FOI charges estimate could be reduced by you revising the scope of your request to documents that you did not author and that you already have in your possession.

This letter is to advise you of the estimated charges for processing your request and the amount, based on that estimate, that you need to pay before we continue processing your FOI request.

After making a decision on your request, the Department is required to calculate the actual amount payable. When we do this, the final charge may be higher than the estimated charge, however the higher amount can only be charged if the department decides to give you access to all documents without deletions and in the form requested.

Please note that the charges imposed reflect the cost of the work undertaken by the department in processing your request, and does not have bearing on the quantity of documents that may be released to you, which may be reduced as a result of exemptions being applied.

### **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 documents is in the general public interest or in the interest of a substantial section of the public
- any other relevant matter.

### **Payment of charges**

Once you advise that you are willing to pay the charge of \$492.92, we will send you an invoice that will explain how you can pay the amount required.

You will be required to pay a deposit of \$123.23 to enable the processing of your request.

### **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 **12 February 2015**. By that date, you must do one of the following things in writing:

- 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:

email: [foi@ag.gov.au](mailto:foi@ag.gov.au)

post: Freedom of Information and Privacy Section  
Office of Corporate Counsel,  
Attorney-General's Department,  
3-5 National Circuit  
Barton, ACT 2600

If you do not provide us with a written response by COB **12 February 2015**, 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 or the day on which this agency makes a decision not to impose a charge.

#### **Questions about this notice**

If you have any questions or wish to discuss this notice with us, please contact Cecilia Pattison-Levi by telephone on 6141 6666 or by email at [foi@ag.gov.au](mailto:foi@ag.gov.au).

Yours sincerely,



Anthony Coles  
Assistant Secretary