



3 March 2022

Mr Paul Swain

By email to: [foi+request-8339-d34b318c@righttoknow.org.au](mailto:foi+request-8339-d34b318c@righttoknow.org.au)

Dear Mr Swain

**Re. Freedom of Information Request**

I refer to your current request for access under the *Freedom of Information Act 1982* (the FOI Act) to:

- "1. Could you please provide me with any documents that DFAT holds that shows that the Australian Government attempted to resolve the frozen UK State Pension issue with the UK Foreign Secretary Liz Truss and her staff during her recent visit.*
- 2. If the Australian Government DID NOT attempt to resolve the frozen UK State Pension issue with the UK Foreign Secretary Liz Truss and her staff during her recent visit, could you please provide me with any documents that DFAT holds that shows why the Australian Government did not attempt to resolve this issue on this occasion.*
- 3. If the Australian Government was once again ineffective in its attempt to resolve the frozen UK State Pension issue during this visit, could you please provide me with any documents that contain analyses that DFAT has done investigating the reason for the failure, and attempting to develop a more effective strategy for future attempts.*
- 4. If DFAT does not hold any documents that are covered by point 3, could you please provide me with any documents that DFAT holds that shows why it does not attempt to improve its performance in resolving the frozen UK State Pension issue by analysing its past performance."*

Preliminary searches for documents relevant to your request have been completed.

I am an officer authorised under section 23 of the FOI Act to make decisions on the charge for processing your request. I have decided that charges are payable based on the number of relevant pages, processing time and time taken by the decision maker (once appointed) to assess your request (noting that the first five hours are free of charge). Our preliminary assessment of the charges due is **\$97.00**.

Please note that at this stage in the FOI process, no decision has been made as to whether the information you seek will be released or exempt under the FOI Act. My decision at this stage relates only to the processing charges.

Under section 29 of the FOI Act, you now have 30 days within which to:

- agree to pay the charge;
- contend that the charge has been wrongly assessed, or should be reduced or not imposed; or
- withdraw your request.

Should you agree to pay the charge, the *Freedom of Information (Fees & Charges) Regulations* requires that you pay a deposit before processing commences. I have calculated the required deposit for your request to be **\$20**.

If you choose to pay only the deposit amount at this stage, you will be required to pay the remainder of the charge prior to the release of any documents.

Your payment method options are outlined in the attachment.

#### **Contend the charge**

Should you contend that the charge has been wrongly assessed, or should be reduced or not imposed, you may apply for the Department to waive or reduce the charge. The Department will take into account whether:

- the payment of the fee or a part of the fee would cause you financial hardship; and
- the giving of access to documents relevant to your request is in the general public interest or in the interest of a substantial section of the public.

A departmental decision-maker will take into account any considerations you put forward, and will make a decision on whether the charge should be imposed, and in what amount.

#### **Processing period or withdrawal of request**

Section 31 of the FOI Act provides that the 30-day processing period to assess your request is put on hold until we receive your payment of the deposit/payment in full of the charge, or we decide not to impose a charge. Should you withdraw your request at this stage, no charge will be imposed.

If we do not receive your response to this letter within 30 days of its receipt, I will consider that you no longer wish to continue with your request, and I will deem it withdrawn.

#### **Narrow scope of request**

Finally, you may elect to narrow the scope of your request, which may reduce the applicable charge.

Should you have any queries, or wish to discuss revising the terms of your request, please contact me by email at foi@dfat.gov.au

Yours sincerely



Tom van Kints  
A/g Director  
Freedom of Information and Privacy Law Section



**Department of Foreign Affairs and Trade**

Please cross out whichever is not applicable:

- **Payment of Charges:** Deposit / In Full
- **Payment by:** Credit Card / Direct Debit / Cheque or Money Order

For the sum of \$ \_\_\_\_\_ as detailed in the FOI Estimate of Charges letter dated \_\_\_\_\_ (FOI Ref: LEX5086)

**Credit Card**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I authorise the National Cashier of the Department of Foreign Affairs and Trade to debit my

VISA       MASTER CARD

-     -     -     Expiry: \_\_\_\_/\_\_\_\_

Name appearing on card: \_\_\_\_\_

Signature: \_\_\_\_\_

**Direct Debit**

Account Name:      Department of Foreign Affairs and Trade  
 BSB No.:            092-009  
 Account No.:        110329

Please include your surname and FOI Ref: LEX5086 in the reference field.

**Cheque/Money Order**

Make payable to: 'The National Cashier – DFAT'  
 Send to:            Director, FOI Section  
                          Department of Foreign Affairs and Trade  
                          R. G. Casey Building  
                          John McEwen Crescent  
                          Barton ACT 0221