



Australian Government
Department of Home Affairs

21 April 2022

Kyle Hughes

BY EMAIL: foi+request-8691-d8c4de46@righttoknow.org.au

In reply please quote:

FOI Request: FA 22/04/00182

File Number: OBJ2022/8145

Dear Kyle,

I refer to your request dated 4 April 2022 in which you have sought access to documents held by the Department of Home Affairs (the Department) under the *Freedom of Information Act 1982* (the FOI Act).

You have requested access to:

Please kindly advise the number of people awaiting to be allocated to a citizenship ceremony (i.e. whose citizenship application has been approved) in the Lane Cove Council as at 31 March 2022.

This letter is to notify you that a preliminary assessment has been made that you are liable to pay a charge for the processing of this request.

As provided under section 29 of the FOI Act and the *Freedom of Information (Charges) Regulations 1982* (the Regulations), my preliminary assessment of the amount of charges you are liable to pay is \$15.00.

Preliminary assessment of charges

I have assessed the work the Department would need to do to process your request and have calculated the following breakdown of charges.

Documents produced under section 17 of FOI Act

Under section 17 of the FOI Act, the Department has used its computer system to produce a document containing information relevant to the terms of your request.

Number of documents produced under section 17 of the FOI Act: 1

Number of relevant pages: 1

Search and retrieval, including production of documents

| Task | Time (hours) | Cost @ \$15/hr |
|---------------------------------------------------------|--------------|----------------|
| Search and retrieval, including production of documents | 1 | \$15.00 |

It has taken one hour to search for, retrieve and produce the document which falls within the scope of your request. The one document, consisting of one, page will require a decision to be made on access.

The Department estimates that the decision-making process will take 1 hour (noting that the first five hours are free of charge). The preliminary assessment of the charges is based on the number of documents that fall within the scope of your request and an estimate of the number of pages that would need to be examined in order to make a decision on your request.

Please note that the charges imposed reflect the cost of work undertaken by the Department in processing your request. The payment of charges does not have a bearing on the quantity of documents that may be released to you, or impact any exemptions applied under the *FOI Act 1982*.

Final amount payable

After making a decision on your request, the Department is required to calculate the actual amount payable and advise you of the final charges payable less any deposit paid. It is noted that the final charge may be higher than the estimated charge to reflect the actual cost of processing the request. However, the charges will only be increased to include the cost of processing the document to which access is given.

Timeframe for your response and next steps

The FOI Act provides you with 30 days to respond, in writing, to this notice. The due date for your response is **Saturday, 21 May 2022**. However, as this date falls on a non-working day, section 36(2) of the Acts Interpretation Act 1901 provides that the latest date you may respond is the next working day, which is **Monday, 23 May 2022**.

By this date you **must** do one of the following:

- agree to pay the charge;
- contend that the charge has been wrongly assessed; or should be reduced or not imposed; and explain your reasons; or
- you may withdraw your request.

If you agree to pay the charge, please note that by paying the charge you are deemed to have accepted the charge and will be liable for the full amount once a decision has been made on the documents.

If you seek to contend the assessment of charges the Department may make a decision on whether a charge should be reduced or not imposed and **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.

This is not an exhaustive list and the Department may consider any other relevant matters.

Please note that if you do not provide a written response within the 30 day timeframe your request will be taken to have been withdrawn (by you) under section 29(2) of the Act.

Payment

To indicate your agreement to pay the charge you are required to pay the deposit, or pay the charge in full.

The Department has a number of payment options available, including an online payment facility for credit/debit cards; automated telephone payment system and BPay. You may also pay the charge by cheque or money order.

Electronic funds transfer/credit card payment

If you wish to pay the charges using a credit card, the online payment facility, telephone payment system or BPay, please advise the FOI Section, and a tax invoice will be provided to you which will include full details of how the payment can be made.

Payment by cheque/money order

If you wish to pay by cheque or money order, please make the cheque/money order payable to 'Collector of Public Monies Home Affairs'; and send via post to:

Department of Home Affairs
PO Box 25 Belconnen ACT 2616

If the Department fails to make a decision on your request within the statutory time limit, the payment will be refunded.

Processing period suspended

The period for processing your request is suspended from the day that you are deemed to have been 'notified' of the charge and resumes on:

- the day you indicate that you agree to pay the charge; or
- the day on which this agency makes a decision not to impose a charge.

Legislation

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

Contact

If you have any enquiries concerning this matter, please contact the FOI Section at foi@homeaffairs.gov.au.

Yours sincerely,

Signed electronically

Joanne
Position Number: 60100057
Authorised Decision Maker
Department of Home Affairs