



28 June 2022

Our reference: LEX 67435

Mr Justin Warren

Only by email: foi+request-8731-e1ea04e9@righttoknow.org.au

Dear Mr Warren,

Freedom of Information Request - Charges

I refer to your original request dated and received by Services Australia on 11 April 2022, for access to documents under the *Freedom of Information Act 1982* (FOI Act). You revised your request on 27 April 2022 in the following terms:

Emails relating to the following FOI requests (excluding attachments, correspondence from external third parties, documents you have already received and correspondence to or from the AAT and/or OAIC relating to your FOI requests):

- 2017, https://www.righttoknow.org.au/request/copy_of_public_interest_certific (Your reference: LEX 27960)
- 2018, https://www.righttoknow.org.au/request/decision_making_criteria_for_pot (Your reference: LEX 34896)
- 2019, https://www.righttoknow.org.au/request/copy_of_privacy_impact_assessmen (Your reference: LEX 46187)
- 2020, https://www.righttoknow.org.au/request/copy_of_executive_minute_to_the (Your reference: LEX 55424)

Preliminary Assessment of the Charge

I am advised Services Australia has in its possession documents totalling 171 pages relevant to your request.

In accordance with section 29 of the FOI Act, I have decided you are liable to pay a charge for the processing of your request. My preliminary assessment of that charge is \$521.72 calculated as follows:

Search and retrieval time: 25.25 hours, at \$15.00 per hour:	\$378.75
Decision-making time (*after deduction of 5 hours): 7.15 hours, at \$20.00 per hour	\$142.97

TOTAL	\$521.72
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*The FOI Act provides that the first five hours of decision-making time are free of charge and this is reflected in the calculation.

Required Action

If you would like Services Australia to continue processing your request, you must notify us in writing within 30 days of receiving this notice that you:

- a) agree to pay the charge;
- b) wish to contend that the charge:
 - i. has been wrongly assessed; or
 - ii. should be reduced or not imposed; or
 - iii. both

Alternatively, you may wish to withdraw your request for access.

If you do not provide a written response in accordance with one of options a) or b) above within 30 days of receiving this notice, your request will be taken to have been withdrawn under section 29(2) of the FOI Act.

Further information on options a) and b) are set out below.

Option a) - pay the charge

You are required to pay a deposit of **\$130.43** within 30 days of receiving this notice. You may, of course, elect to pay the charge in full at this point.

You may select from one of the following payment methods:

1. Online payment via Government EasyPay - follow [this link](#) and enter the relevant details. You will need your FOI LEX reference number, **LEX 67435**; or
2. Cheque made out to the Collector of Public Monies and posted to Freedom of Information, Services Australia, PO BOX 7820, Canberra BC, ACT 2610; or
3. Money order made out to the Collector of Public Monies and posted to Freedom of Information, Services Australia, PO BOX 7820, Canberra BC, ACT 2610.

If you elect to pay the charge, please email FOI.LEGAL.TEAM@servicesaustralia.gov.au to advise us of your payment. Please quote reference number **LEX 67435** in this correspondence.

Option b) - seek reduction or non-imposition of the charge

You may contend the charge has been wrongly assessed, or should be reduced or not imposed. Section 29(5) of the FOI Act provides that, in deciding whether to reduce or not to impose a charge, the decision-maker must take into account any relevant reasons, including whether payment of the charge, or part of it, would cause you or your organisation financial hardship, and whether the giving of access to the documents is in the general public interest or in the interest of a substantial section of the public.

If you wish to contend the charge has been wrongly assessed or should be reduced or not imposed, please set out your reasons and the evidence in support of your reasons as clearly as possible. If you believe payment of the charge would cause you or your organisation financial hardship, please provide sufficient details of your financial circumstances to enable the decision-maker to make a well-informed decision in this regard.

Time limits for processing your request

Section 31 of the FOI Act provides that where a notice is sent to an applicant regarding the payment of a charge in respect of a request, the time limit for processing the request is suspended from the date the notice is received until either:

- a) the day following payment of the charge (in full or the required deposit); or
- b) if applicable, the day following the notification to the applicant of a decision not to impose the charge.

Address for correspondence

Please send all correspondence regarding your FOI request to me at the following address:

Freedom of Information team
Services Australia
PO Box 7820
CANBERRA ACT 2610

Or by email to FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Publication of information in the FOI disclosure log

Information released under the FOI Act may be published in a disclosure log on Services Australia's website. Section 11C of the FOI Act requires this publication, subject to certain exceptions, including where publication of personal, business, professional or commercial information would be unreasonable.

Further assistance

If you have any questions please email FOI.LEGAL.TEAM@servicesaustralia.gov.au.

Yours sincerely

Hannah
Authorised FOI Decision Maker
Freedom of Information Team
Information Access Branch Legal Services Division
Services Australia