



Australian Government  
Department of Home Affairs

24 August 2022

BE

**BY EMAIL:** [foi+request-9224-2d3f0a35@righttoknow.org.au](mailto:foi+request-9224-2d3f0a35@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 22/08/00298

File Number: OBJ2022/21284

Dear BE

I refer to your request dated 4 August 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 (as revised on 16 August 2022):

- 1. Final version of each QTB for the 47th Parliament as it was last provided to the Ministers' Offices by the Department*
- 2. A copy of the Department's current index of Question Time Briefs.*

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.

In accordance with 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 **\$497.50**.

**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.

Document estimate

Number of relevant discrete documents: 78

Number of relevant documents created under section 17 of the FOI Act: 1

Number of relevant pages: 324

### Processing charges

#### *Search and retrieval of discrete documents*

<b>Search and retrieval</b>		
<b>Task</b>	<b>Time (hours)</b>	<b>Cost @ \$15/hr</b>
Search and retrieval of relevant electronic and registry files	1.50	\$22.50
Extraction of documents and preparation of schedule	3	\$45.00
<b>Search and retrieval subtotal</b>	<b>4.5</b>	<b>\$67.50</b>

#### *Decision making for discrete documents*

<b>Decision making – discrete documents</b>		
<b>Task</b>	<b>Time (hours)</b>	<b>Cost @ \$20/hr</b>
Examination of documents	16	\$320.00
Preparation of documents for release	1.5	\$30.00
Consultation with third parties	8	\$160.00
Preparation of notice of access decision	1	\$20.00
Decision making subtotal (before deduction of 5 free hours)	26.5	\$530.00
<b>Decision making subtotal (after deduction of 5 free hours)</b>	<b>21.5</b>	<b>\$430.00</b>

### Total charges

<b>Estimated totals and deposit</b>	
Estimated total	<b>\$497.50</b>
Deposit required (25%)	<b>\$124.40</b>

The preliminary assessment of the charges is based on the number of documents that fall within the scope of your request and the number of pages that need to be examined in order to make a decision on your request.

I estimate that the 324 pages would each require approximately three minutes to assess in accordance with the FOI Act. This estimate is based on a preliminary examination of a sample of one in ten documents. I also estimate that approximately eight external parties may need to be consulted about the potential release of information relating to them contained in the documents, and that this consultation would take approximately one hour to complete for each of the eight parties.

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 the deposit paid. I note 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 documents to which access is given.

Please note that the charges imposed reflect the cost of work undertaken by the Department in processing your request. 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.

## Deposit payable

As the charge exceeds \$100.00, a deposit of 25%, or **\$124.40**, will be sought if the charge is imposed. Please note that by paying the deposit 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.

The deposit is not refundable except in some limited circumstances (for example, if the Department fails to make a decision on your request within the statutory timeframe), or may be refundable in part if the final charge is less than the deposit paid.

## Timeframe for your response and next steps

The FOI Act provides you with 30 days to respond, in writing, to this notice, which is **Friday, 23 September 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.

Once you have paid, please advise the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au) **immediately** to avoid delays in the processing of your request.

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.

## Contesting charges

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 set out your reasons and evidence in support of your reasons as clearly as possible. If you believe that payment of the charge would cause you financial hardship, please provide sufficient details of your financial circumstances to enable the decision maker to make a well informed decision.

## Payment Options

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 refer to the tax invoice attached 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:

Freedom of Information Section  
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 pay the charge in full or the required deposit; 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](mailto:foi@homeaffairs.gov.au).

Yours sincerely

[Signed electronically]

**Guy**

**Position no. 60103474**

**FOI Officer | Freedom of Information Section**

**FOI and Records Management Branch**

**Data Division | Strategy and National Resilience Group**

**Department of Home Affairs**