



Australian Government
Department of Finance

Reference: FOI 22/65
Contact: FOI Team
E-mail: foi@finance.gov.au

D
Right to Know

By email only: foi+request-9273-363db18a@righttoknow.org.au

Dear D

Freedom of Information Request – FOI 22/65

On 16 August 2022, the Department of Finance (Finance) received your email, in which you sought access under the Commonwealth *Freedom of Information Act 1982* (FOI Act) to the following:

I request any document, email, briefing or report prepared within the Department of Finance relating to the decision which the Prime Minister communicated to crossbench parliamentarians in June 2022 concerning their allocation of personal staff.

The statutory period for processing your request commences from the day after Finance received your request and a decision is due on 15 September 2022.

Liability to pay a charge

In accordance with the *Freedom of Information (Charges) Regulations 2019* (Regulations), and the FOI Act, I have decided that you are liable to pay a charge in respect of processing your request and am notifying you accordingly.

My preliminary assessment of that charge is as follows:

Task	Rate	Units	Charge
Search & retrieval	\$15 per hour	1.07 hours	\$ 15.98
Decision-making	\$20 per hour	17.48 hours	\$ 349.53
<i>less first 5 hours free</i>		5 hours	\$ -100.00
TOTAL			\$ 266.81

In accordance with the Regulations, this estimate has included five hours of decision making time free of charge.

Fee reduction

Given the circumstances of this request, I have decided that it is in the public interest to reduce the charge by 50 per cent. This means the charge payable is **\$133.41**.

Timeframe

Within 30 days of the date of this notice, you need to either:

- agree to pay the charge indicated above and forward the deposit; or
- contend that the charge has been wrongly assessed, or should be reduced or not imposed (you should provide full reasons for your contention); or
- withdraw your request.

Notice must be provided to Finance in writing. If you fail to notify Finance in a manner described above within 30 days of the date on this notice, being on or before **24 September 2022**, it will be taken that you have withdrawn your request.

The time period for processing your request is suspended from the date of this notice and resumes on either the day you pay the deposit or the day on which Finance makes a decision not to impose a charge. However, the actual processing time may also be affected by third party consultation.

Payment of charges

You can agree to pay the charge. If you agree, processing of your request will resume as soon as Finance receives payment.

Payment is **\$133.41**. Payment entitles you to receive a decision in relation to your request, a schedule (if there are more than 3 documents) which lists the documents relevant to your request, and any documents released.

If you agree to pay the charge please notify the FOI team and they will prepare an invoice for you to complete, sign and return.

If you disagree with the charge

If you contend that the charge has been wrongly assessed, or should be reduced or not imposed, such a contention is not a request for internal review. You will be advised of your review rights following my consideration of your contentions. In deciding whether to reduce or not impose a charge, I must take into account whether payment of the charge, or part of it, would cause you financial hardship and whether the giving of access to the documents is in the general public interest.

The Office of the Australian Information Commissioner (OAIC) sets out the process for [calculating and imposing charges](#), together with information regarding when an agency should [correct, reduce or waive charges](#).

Policy to exclude junior officer details

Finance has adopted a policy to exclude the names and contact details of junior staff (non SES officers) and staff employed under the *Members of Parliament (Staff) Act 1984* (advisor level and below) from any documents released. Finance has also adopted a policy to exclude signatures and mobile phone numbers from any documents released under FOI (unless publicly available). Finance's preference is to reach agreement with FOI applicants to exclude these details from the scope of the request. Where there is no objection, the names and contact details of junior officers are redacted under section 22 of the FOI Act, together with anyone's signatures, on the basis that these details are irrelevant to the request.

Publication

Subject to certain exceptions, any documents provided to you under the FOI Act will be published on Finance's FOI [Disclosure Log](#). Finance's policy is to publish the documents one working day after they are released to you.

Please contact the FOI Team on the above contact details if you wish to discuss your request.

Yours sincerely,



Jillian Flinders
Acting Assistant Secretary
HR Frameworks | Ministerial and Parliamentary Services
Department of Finance
25 August 2022