



Australian Government
Department of Finance

Reference: FOI 22/64
Contact: FOI Team
E-mail: foi@finance.gov.au

BE
Right to Know

By email only: foi+request-9279-aaea9a10@righttoknow.org.au

Dear BE,

Freedom of Information Request – preliminary charges notice – FOI 22/64

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

1. Communications during the period 25 May 2022 to 5 August 2022 between the Department of Finance and the Office of the Minister for Finance relating to the Guidelines on Information and Advertising Campaigns and the Interim Guidelines on Information and Advertising Campaigns.
2. Communications during the period 25 May 2022 to 5 August 2022 between the Department of Finance and the Office of the Special of Minister relating to the Guidelines on Information and Advertising Campaigns and the Interim Guidelines on Information and Advertising Campaigns.
3. Internal communications during the period 25 May 2022 to 5 August 2022 within the Department of Finance relating to the Guidelines on Information and Advertising Campaigns and the Interim Guidelines on Information and Advertising Campaigns.
4. Ministerial briefs and documents produced by the Department of Finance after 21 May relating to the Guidelines on Information and Advertising Campaigns and the Interim Guidelines on Information and Advertising Campaigns.

In this request a reference to Ministerial offices includes the Minister themselves.

For the avoidance of doubt, the reference to 'communications' in this request includes all communication including emails (including attachments), memorandums or notes, electronic communications such as SMS, WhatsApp messages, iMessages and Signal messages.

The purpose of this letter is to advise you of my decision to issue you with a charge under the FOI Act.

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	8.67 hours	\$ 130.00
Decision-making	\$20 per hour	9.42 hours	\$ 188.33
<i>less first 5 hours free</i>		5 hours	\$ -100.00
TOTAL			\$ 231.33

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

Timeframe

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

- agree and pay the charge indicated above; 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 **Friday 7 October 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 receipts payment.

Payment is **\$231.33**. 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 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.

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

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Sally Harris', with a long horizontal line extending to the right.

Sally Harris
Assistant Secretary
Communications Advice | Governance
Department of Finance
7 September 2022