

From: [C Drake](#)
To: [FOI Requests](#)
Subject: Re: FOI 22/85 -Preliminary charges notice [SEC=OFFICIAL]
Date: Wednesday, 12 October 2022 4:34:50 PM

Dear FOI Requests,

No charges should be imposed for my request for the following reasons:

Some of my request relates to information about myself (items 5, 6, and 7) which are exempt from charges.

Items 3, 4 and 8 almost certainly also relate to information about myself (they were generated as a result of my request)

Item 9 is immediately available via numerous mean and takes no more than a 5 minute phone call, or 5 minute email, to make available to me if desired.

Items 1 through 8 have ALREADY been "located" and used in connection with my earlier FOI request for which no fees were levied. It would be improper to charge me for work that has already taken place, or to charge "search" for items that are already "found", or to charge me for "decision" time on these items (see below).

I contend that the information I am seeking will reveal improper behavior of FoI officer(s) in connection with my earlier request, and will show them taking steps to prevent the disclosure of information to me by negotiating with a formerly agreeable 3rd party and convincing them to raise an improper objection, or it will reveal that an FoI officer has told lies in support of rejecting a previous FoI request and has alleged the false existence or meaning of documents or intent. It is absolutely improper to charge me so that an FoI officer can spend time redacting and fighting against the release of documents which will almost certainly reveal improper behavior of that FoI officer. Accordingly:-

THE IMPOSITION OF CHARGES FOR THIS SEARCH ARE UNDENIABLY AN ATTEMPT TO DISCOURAGE MY FoI REQUEST.

If you refuse to withdraw this charge request, I require a detailed breakdown of the costs involved for each process of my items 1 through 9, along with an explanation as to why search and decision time might be required (taking into account the fact that all these documents were already used in support of rejecting my earlier FOI request) so that I can check that the breakdowns are honest, allowable and genuine.

I'm happy to pay any *genuine* charges if it result in the release of item 9, and I'm also happy to pay any charges on the condition that I receive a full refund, along with supply of item 9, if an independent arbitrar believes that improper conduct has occurred based on the release (or non-release) of items 1 through 8.

Yours sincerely,

C Drake

-----Original Message-----

SEC=OFFICIAL

Dear Mr Drake

Please see attached a preliminary charges notice in relation to your FOI request (our reference FOI 22/85).

Please note that the Office of the Australian Information Commissioner (OAIC) sets out the process for [1]calculating and imposing charges, together with information regarding when an agency should [2]correct, reduce or waive charges.

Kind regards

[3]cid:image002.png@01D892E6.FF23F6B0

FOI Officer | Legal and Assurance Branch

Business Enabling Services

Department of Finance

E: [4][Finance request email]

A: One Canberra Avenue, Forrest ACT 2603

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References

Visible links

1. <https://www.oaic.gov.au/freedom-of-information/guidance-and-advice/calculating-and-imposing-charges-for-foi-access-requests>
2. <https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-4-charges-for-providing-access#correction-reduction-or-waiver-of-charges>
4. [mailto:\[Finance request email\]](mailto:[Finance request email])

Please use this email address for all replies to this request:

xx@xxxxxxxxxxxx.xxx.xx

This request has been made by an individual using Right to Know. This message and any reply that you make will be published on the internet. More information on how Right to Know works can be found at:

<https://www.righttoknow.org.au/help/officers>

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an FOI officer, please ask your web manager to link to us from your organisation's FOI page.

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