

FREEDOM OF INFORMATION

Under Western Australian Freedom of Information Act 1992, Section 12

99 Shepperton Road
Victoria Park WA 6100
Phone: (09) 9311 8111

Locked Bag 437
Victoria Park WA 6979
admin@vicpark.wa.gov.au
www.victoriapark.wa.gov.au

Explanatory notes regarding charges for dealing with an access application under the Freedom of Information Act 1992

The FOI Act provides that if an agency estimates that the charges for dealing with an application might exceed \$25, the agency is required to notify the applicant of its estimate, and the basis on which the estimate is made, and inquire whether the applicant wishes to proceed with the application (section 17(3)).

An agency may also require an applicant to pay a deposit on account of the charges for dealing with an application (section 18).

An application is regarded as withdrawn if the agency does not receive notification of an intention to proceed with an application and/or payment of the required deposit within 30 days (or such further time as the agency allows) after the day which notice is given (section 19).

The charges and deposit payable under the FOI Act are set by Schedule 1 to the Freedom of Information Regulations 1993 (the FOI Regulations).

The following is an extract of Schedule 1 to the FOI Regulations:

1. TYPE OF FEE

Application fee under Section 12(1)(e) of the Act..... \$30

2. TYPE OF CHARGE

(a) Charge for time taken by staff dealing with the application
(per hour, or pro rata for part of an hour)..... \$30

(b) Charges for access time supervised by staff
(per hour, or pro rate for part of an hour)..... \$30
plus the actual addition cost to the Town of Victoria Park for any special arrangements (eg. hire of facilities or equipment).

(c) Charges for photocopying

(i) per hour, or pro rata for part of an hour of staff time; \$30
and
(ii) per copy \$0.20

- (d) Charge for time taken by staff transcribing from a tape or other device (per hour, or pro rata for part of an hour) \$30
- (e) Charge for duplication a tape, film or computer information Actual Cost
- (f) Charge for delivery, packaging and postage..... Actual Cost

3. ADVANCE DEPOSITS

- (a) Advance deposit which may be required under Section 18(1) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee 25%
- (b) Further advance deposit which may be required under Section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee 75%

The period commencing from the date of the applicant's receipt of the agency's notice of estimate of charges and ending on the day on which the agency is notified of the applicant's intention to proceed with the application or the deposit is paid is to be disregarded for the purpose of calculating the 'permitted period' for dealing with an access application (section 19).

If an agency has required an applicant to pay a deposit on account of the charges, the agency has to, at the request of the applicant, discuss with the applicant practicable alternatives for changing the application or reducing the anticipated charges, including reduction of the charges if the applicant waives, either conditionally or unconditionally, the need for the agency to deal with the application within the permitted period (section 18).

