

OFFICE OF THE INFORMATION COMMISSIONER**OF301****FREEDOM OF INFORMATION ACT 1992****INTERPRETATION ACT 1984****FREEDOM OF INFORMATION REGULATIONS 1993**

Made by the deputy of the Governor in Executive Council under section 112 of the *Freedom of Information Act 1992* and section 25 of the *Interpretation Act 1984*.

Citation

1. These regulations may be cited as the *Freedom of Information Regulations 1993*.

Commencement

2. These regulations come into operation on the day on which section 10 of the *Freedom of Information Act 1992** comes into operation.

[* *Act No. 76 of 1992.*]

General provisions relating to charges

3. For an applicant who is —

- (a) impecunious, in the opinion of the agency to whom the application is made; or
- (b) the holder of a currently valid pensioner concession card issued on behalf of the Commonwealth to that person, or any other card which may be prescribed as being a pensioner concession card under the *Rates and Charges (Rebates and Deferments) Act 1992*,

the charge payable under regulation 5 is reduced by 25%.

Application fee (section 12 (1) (e))

4. The fee in column 2 of item 1 of the Schedule is prescribed as the application fee payable under section 12 (1) (e) of the Act.

Charges (section 16 (1))

5. The charges set out in column 2 of item 2 of the Schedule are prescribed as payable under section 16 (1) of the Act for the purposes set out opposite those charges in column 1 of that item.

Advance deposits (section 18 (1) and (4))

6. The amount or rate set out in column 2 of item 3 of the Schedule is prescribed as the amount or rate of an advanced deposit which may be payable under section 18 of the Act in the circumstances set out opposite those amounts or rates in column 1 of that item.

“Suitably qualified person” defined (section 28)

7. For the purposes of section 28 of the Act —

“suitably qualified person” means a medical practitioner within the meaning of the *Medical Act 1894*.

Information or details to be included in a complaint (section 66 (1) (d))

8. For the purposes of section 66 (1) (d) of the Act, a complaint made against an agency's decision under section 65 (1) of the Act is to be accompanied by a copy of the agency's notice of its decision, unless the decision complained of is the result of the non-receipt of a decision under section 13 (2) of the Act.

Schedule

(regulation 4, 5 and 6)

Column 1	Column 2
1. <u>Type of Fee</u>	\$
Application fee under section 12 (1) (e) of the Act	30
2. <u>Type of Charge</u>	\$
(a) Charge for time taken by staff dealing with the application (per hour, or <i>pro rata</i> for a part of an hour)	30
(b) Charge for access time supervised by staff (per hour, or <i>pro rata</i> for a part of an hour)	30
plus the actual additional cost to the agency of any special arrangements (eg. hire of facilities or equipment).	
(c) Charges for photocopying —	
(i) per hour, or <i>pro rata</i> for a part of an hour of staff time;	30
and	
(ii) per copy	0.20
(d) Charge for time taken by staff transcribing information from a tape or other device (per hour, or <i>pro rata</i> for a part of an hour)	30
(e) Charge for duplicating a tape, film or computer information	Actual Cost
(f) Charge for delivery, packaging and postage	Actual Cost
3. <u>Advance Deposits</u>	
(a) Advance deposit which may be required by an agency 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 by an agency 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%

By Command of the Deputy of the Governor,

D. G. BLIGHT, Clerk of the Council.