



## DEPARTMENT OF PUBLIC WORKS

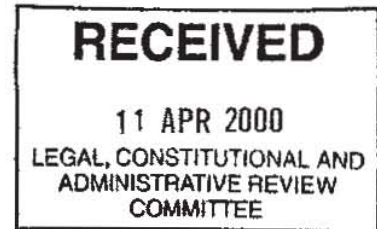
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Mal Grierson  
DIRECTOR-GENERAL

Ref: 10/20#07/02/00

10 APR 2000

Mr G Fenlon MLA  
Chair  
Legal, Constitutional and Administrative Review Committee  
Parliament House  
George Street  
BRISBANE QLD 4000



Submission No 148

Dear Mr Fenlon

I refer to your letter dated 7 February 2000 noting this Department's submission to your Committee's review of the *Freedom of Information Act 1992* and forwarding a copy of Discussion Paper No. 1 issued as part of the review. I also refer to your letter dated 23 February 2000, following which this Department's Freedom of Information Co-ordinator attended the meeting of FOI Coordinators with the Committee held at the Parliamentary Annexe on Friday 17 March 2000.

You have invited a further submission from this Department in relation to any matters arising out of the previous submissions to the review or otherwise falling within the review's terms of reference.

As noted in my submission dated 28 May 1999, this Department has found that the *Freedom of Information Act 1992* ("the Act") has achieved many of its objectives, although some problems have been experienced and there may be room for improvement in the Act's operations.

Having regard to Discussion Paper No. 1 forwarded with your letter under reply, I comment, using your numbering system, as follows:

**B(VI) THE APPROPRIATENESS OF, AND THE NEED FOR, THE EXISTING REGIME OF FEES AND CHARGES IN RESPECT OF BOTH ACCESS TO DOCUMENTS AND INTERNAL AND EXTERNAL REVIEW.**

The Discussion Paper refers to Table 5 on the committee's website, this table sets out the fees and charges of other FOI regimes around Australia. It is noted that Queensland is the only regime which does not impose an hourly charge for the processing of FOI applications and that the hourly rate for processing applications in other jurisdictions (subject to exceptions) ranges from \$15 to \$30 per hour.

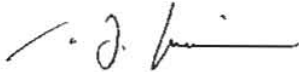
An evaluation of this Department's costs of processing applications has revealed that current costs of processing applications are well in excess of \$30 per hour. Of course, the actual cost varies according to the classification level of officers responding to the applications. If you require further details in relation to the costs of processing applications these could be made available on a confidential basis.

It is considered that this Department's difficulties in dealing with the large applications for which no fees for processing the application are imposed, could be much improved by the introduction of processing charges set at a realistic hourly rate. This would encourage applicants to target their applications to the specific material to which they wish to have access. It is acknowledged that exemptions could be provided in appropriate cases.

It is suggested that, in accordance with the procedures in some other States and the Commonwealth, an appropriate fee could be imposed for Internal Review and External Review applications.

I thank you for the further opportunity to comment on the review of the Act. If you have any queries, please do not hesitate to contact Mr Boyd Backhouse, Manager, Legal Services on telephone 3225 8634.

Yours faithfully



**Mal Grierson**  
**Director-General**