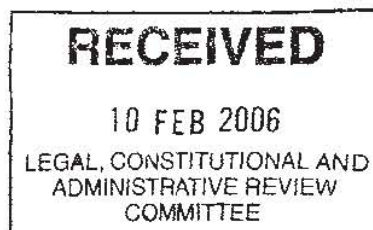
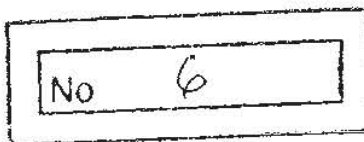


Your Ref:
Enquiry Phone: 3826 5358 (Chris Lawson)
Please Quote File: 56213(P2)
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8 February 2006

The Research Director
Legal, Constitutional and Administrative Review Committee
Parliament House, George Street
BRISBANE QLD 4000

Dear Sir/Madam

SUBMISSION - THE ACCESSIBILITY OF ADMINISTRATIVE JUSTICE

In reference to your call for submissions to the above discussion paper, detailed below is the main issue of concern relate to these matters.

This submission is made as the FOI Co-ordinator of Logan City Council.

Key issue 1 - What is the effect, if any, of the fees and charges regime under the FOI Act on access to information and the amendment of documents? Is amendment of the FOI Act and/or administrative reform necessary?

Concession Cardholders

Currently the FOI Act exempts concession cardholders from processing charges for non-personal application.

This needs to be reconsidered as:

1. Census information indicates we have an aging population and with this increase comes a greater percentage of the population being eligible for this discount.
2. It can be open to abuse by having a concession cardholder lodge the application on behalf of another person, who would normal be required to pay the processing charges.
3. There is no incentive for the concession cardholder to limit the scope of there application, once they pay their application fee there is no additional charges. This can lead to a misuse of public resources. The application of the "diversion of resources" provision of the Act can be hard to justify for a large organisations. But there is an opportunity cost associated with processing large FOI applications, which could have been rescoped to narrow the definition.

Perhaps an approach based on the Australian Capital Territory's charges could be applied to concession cardholders. That is:

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- First 10 hours of processing free, then: \$15 per hour for searching for documents, \$20 per hour deciding an application.
 - Supervised access: first 10 hours free, then \$6.25 per half hour.
 - Photocopying: first 200 pages free, then 20 cents per page.

This charging regime would have the effect of narrowing the scope of application to relevant documents. If this approach were applied, there would need to be some provision related to multiple applications continuing on from a previous application. That is, someone could apply under different applications for the same subject matter, but break it down by dates to limit the cost per application.

If you have any further queries in relation to this matter please contact Mr Chris Lawson on telephone 3826 5358.

Yours faithfully


for Chris Rose
CHIEF EXECUTIVE OFFICER