



IMPORTANT FOI UPDATE

Amended FOI Access Charges in Victoria

Please note that from 28 June 2014 different access charges will be payable by applicants seeking documents under the *Freedom of Information Act 1982 (Vic)* (“FOI Act”)

The *Freedom of Information (Access Charges) Regulations 2004* will be repealed on and from **28 June 2014**. New regulations were made on 3 June 2014 to replace them. They are the *Freedom of Information (Access Charges) Regulations 2014* and they come into operation on 28 June 2014.

Many items have remained the same, but there have been some ***important changes*** which have tied payable access charges to “fee units” under the *Monetary Units Act 2004*. This means that as “fee units” increase each year, so too will the access charges payable for certain items under the regulations

What makes things even more complicated, however, is that when the value of a fee unit changes from 1 July 2014, so too will the access charges payable. This is complicated further by the fact that there are no transitional provisions to explain what happens in relation to requests received before or after 28 June 2014.

Attached is a table which explains the main amendments.

If you require any further information or assistance about how these new regulations affect your agency, please do not hesitate to contact us.

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Freedom of Information Access Charges Update

<i>Item No.</i>	<i>Service charged for</i>	<i>Charge payable for requests received before 28 June 2014</i>	<i>Charge payable on requests received on or after 28 June 2014</i>	<i>Request received between 28 June and 30 June 2014 (Fee unit = \$12.84)</i>	<i>Request received 1 July 2014 to 30 June 2015 (Fee unit = \$13.24)</i>
1.	<p><i>Charge for search time</i></p> <p>If the request relates to a document other than a document in relation to which a charge is applicable under item 7—a charge in respect of the search time.</p>	\$20.00 per hour or part of an hour.	1.5 fee units per hour or part of an hour.	\$19.26 per hour or part of an hour rounded to nearest 10 cents (eg 1 hour = \$19.30 2 hours = \$38.50 3 hours = \$57.80)	\$19.86 per hour or part of an hour rounded to nearest 10 cents (eg 1 hour = \$19.90 2 hours = \$39.70 3 hours = \$59.60)
2.	<p><i>Charge for supervision</i></p> <p>If access to the document to which the request relates is given—</p> <p>(a) in the form of an opportunity to inspect the document under the supervision of an officer; or</p> <p>(b) in the case of a document that is an article or thing from which sound or visual images are capable of being produced—in the form of arrangements for the applicant to hear or view those sounds or visual images under the supervision of an officer—</p> <p>a charge in respect of the supervision time.</p>	\$5.00 per quarter hour or part of a quarter hour.	1.5 fee units per hour (to be calculated per quarter hour or part of a quarter hour).	\$19.26 per hour to be calculated per quarter hour or part of a quarter hour, rounded to the nearest 10 cents (eg ¼ hr = \$4.80 ½ hr = \$9.60 ¾ hr = \$14.40 1 hr = \$19.30 1¼ hr = \$24.10)	\$19.86 per hour to be calculated per quarter hour or part of a quarter hour rounded to the nearest 10 cents (eg ¼ hr = \$5.00 ½ hr = \$9.90 ¾ hr = \$14.90 1 hr = \$19.90 1¼ hr = \$24.80)
8.	<p><i>Costs of suitably qualified health service provider providing explanation of health information if agency is a qualified health service provider</i></p> <p>If the request is in respect of an explanation of the contents of health information and the agency (being a suitably qualified health service provider) explains the health information.</p>	The reasonable costs incurred by the agency in providing the explanation calculated by reference to the time taken to provide the explanation, not	The reasonable costs incurred by the agency in providing the explanation calculated by reference to the time taken to provide the explanation, not	The reasonable costs incurred by the agency in providing the explanation calculated by reference to the time taken to provide the	The reasonable costs incurred by the agency in providing the explanation calculated by reference to the time taken to provide the



	<p>exceeding—</p> <p>(a) \$25 per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) \$80—</p> <p>whichever is the lesser.</p>	<p>exceeding—</p> <p>(a) 1.9 fee units per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) 6 fee units—</p> <p>whichever is the lesser.</p>	<p>explanation, not exceeding—</p> <p>(a) \$24.40 per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) \$77.00—</p> <p>whichever is the lesser.</p>	<p>explanation, not exceeding—</p> <p>(a) \$25.20 per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) \$79.40—</p> <p>whichever is the lesser.</p>
<p>10. <i>Summary of health information</i></p> <p>If the request is in respect of an accurate summary of health information and that summary does not exist before the request is made.</p>	<p>The reasonable costs incurred by the agency in preparing the summary calculated by reference to the time taken to prepare the summary, not exceeding—</p> <p>(a) \$25 per quarter hour (or part of a quarter hour) spent in preparing the summary; or</p> <p>(b) \$80—</p> <p>whichever is the lesser.</p>	<p>The reasonable costs incurred by the agency in preparing the summary calculated by reference to the time taken to prepare the summary, not exceeding—</p> <p>(a) 1.9 fee units per quarter hour (or part of a quarter hour) spent in preparing the summary; or</p> <p>(b) 6 fee units—</p> <p>whichever is the lesser.</p>	<p>The reasonable costs incurred by the agency in preparing the summary calculated by reference to the time taken to prepare the summary, not exceeding—</p> <p>(a) \$24.40 per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) \$77.00—</p> <p>whichever is the lesser.</p>	<p>The reasonable costs incurred by the agency in preparing the summary calculated by reference to the time taken to prepare the summary, not exceeding—</p> <p>(a) \$25.20 per quarter hour (or part of a quarter hour) spent in providing the explanation; or</p> <p>(b) \$79.40—</p> <p>whichever is the lesser.</p>