



Queensland

*Freedom of Information Act 1992*

# Freedom of Information Regulation 2006

Reprinted as in force on 1 September 2008

Reprint No. 1C

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED  
LAST REPRINT BEFORE REPEAL  
See 2009 SL No. 134 s 11

# Information about this reprint

This regulation is reprinted as at 1 September 2008. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘judgement’ has replaced ‘judgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



## Queensland

# Freedom of Information Regulation 2006

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# Freedom of Information Regulation 2006

[as amended by all amendments that commenced on or before 1 September 2008]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Freedom of Information Regulation 2006*.

### 2 Commencement

This regulation commences on 2 September 2006.

## Part 2 Fees and charges for access to documents not concerning personal affairs

### 3 Amount of application fee—Act, s 7, definition *application fee*

The application fee in relation to an application for access to a document is \$38.00.

### 4 Amount of charges—Act, s 7, definitions *access charge* and *processing charge*

- (1) This section applies in relation to an applicant applying for access to a document that does not concern the applicant's personal affairs.

- (2) The schedule, part 1 sets out the processing charges.
- (3) The schedule, part 2 sets out the access charges.

## **5 No charge for 2 hours or less**

Despite section 4 and the schedule, a charge is not payable for doing, for an application, a thing mentioned in the schedule, part 1, item 1 or part 2, item 1, or a combination of the things mentioned in those items, if the total amount of time spent by the agency or Minister or an officer doing the thing or things is 2 hours or less.

*Examples—*

- 1 Assume an agency spends, for the application, 1 hour searching for documents and deciding the application for access and an officer spends 30 minutes supervising inspection of the documents. No charge is payable under the schedule, part 1, item 1 or part 2, item 1.
- 2 Assume an agency spends, for the application, 2.5 hours searching for documents and deciding the application for access and an officer spends 2 hours supervising inspection of the documents. This section does not apply and a charge of \$93.60, calculated under this regulation, is payable for the activities.

## **6 No charge for particular search and retrieval time**

Despite section 4 and the schedule, the amount of time spent searching for or retrieving a document does not include—

- (a) if the document is not found in the place where, according to the filing system of the agency or of the office of the Minister (the *relevant filing system*) it ought to be located—any time other than the time that would have been spent by the agency or Minister in searching for or retrieving the document if the document had been found in that place; or
- (b) if the relevant filing system ought reasonably to have indicated, but does not indicate, the place where the document is located—any time other than the time that would have been spent by the agency or Minister in searching for or retrieving the document if the relevant filing system had indicated the place where the

document is located and the document had been found in that place.

**7 Amount of deposit—Act, s 35B(6)**

The amount of a deposit payable under section 35B(6) of the Act on account of any processing charge or access charge is 25% of the charge.

**8 Prescribed person—Act, sch 4, s 10(6)**

The chief executive of the Department of the Premier and Cabinet is the prescribed person who decides whether any processing charge and access charge may be waived because the applicant is in financial hardship.

## **Part 3 Miscellaneous**

**9 Principal office—Act, s 7, definition *principal officer***

The office of vice-chancellor of each of the following public authorities is declared to be the principal office for paragraph (c) of the definition *principal officer* in section 7 of the Act—

- Central Queensland University
- Griffith University
- James Cook University
- Queensland University of Technology
- The University of Queensland
- University of Southern Queensland
- University of the Sunshine Coast.

## **Schedule                      Charges**

section 4

### **Part 1                              Processing charges**

- 1 Charge for time spent by an agency or Minister in searching for or retrieving a document, or in making, or doing things related to making, a decision on an application for access—\$5.80 for each 15 minutes or part of 15 minutes.

### **Part 2                              Access charges**

- 1 Charge if an agency or Minister makes an officer available to supervise the inspection of a document—\$5.80 for each 15 minutes or part of 15 minutes.
- 2 Charge for giving access to a written document by providing a black and white photocopy of the document in A4 size—\$0.20 for each page.
- 3 Charge for a form of access to a document under section 30 of the Act, other than by inspection or providing a black and white photocopy of the document in A4 size—an amount that is not more than the actual cost incurred by an agency or Minister in giving access to the document.



## Endnotes

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2008. Future amendments of the Freedom of Information Regulation 2006 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	2 September 2006	
1A	2006 SL No. 284	27 November 2006	
1B	2007 SL No. 275	26 November 2007	
1C	2008 SL No. 266	1 September 2008	

## 5 List of legislation

### **Freedom of Information Regulation 2006 SL No. 201**

made by the Governor in Council on 10 August 2006

notfd gaz 11 August 2006 pp 1725–8

ss 1–2 commenced on date of notification

remaining provisions commenced 2 September 2006 (see s 2)

exp 1 September 2016 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2006 SL No. 284**

notfd gaz 24 November 2006 pp 1476–9

ss 1–2 commenced on date of notification

remaining provisions commenced 27 November 2006 (see s 2)

### **Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2007 SL No. 275**

notfd gaz 9 November 2007 pp 1355–7

ss 1–2 commenced on date of notification

remaining provisions commenced 26 November 2007 (see s 2)

### **Justice and Other Legislation (Fees) Amendment Regulation (No. 1) 2008 SL No. 266**

notfd gaz 22 August 2008 pp 2651–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 September 2008 (see s 2)

## 6 List of annotations

### **Amount of application fee—Act, s 7, definition “application fee”**

s 3            amd 2006 SL No. 284 s 3 sch; 2007 SL No. 275 s 3 sch; 2008 SL No. 266 s 3 sch

**SCHEDULE—CHARGES**

amd 2006 SL No. 284 s 3 sch; 2007 SL No. 275 s 3 sch; 2008 SL No. 266 s 3  
sch