



Queensland

Freedom of Information Regulation 2006

Subordinate Legislation 2006 No. 201

made under the

Freedom of Information Act 1992

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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 \$35.25.

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—\$5.20 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—\$5.20 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 Made by the Governor in Council on 10 August 2006.
- 2 Notified in the gazette on 11 August 2006.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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