

CHAPTER 1

ACTIVITY UNDER THE FOI ACT

INTRODUCTION

1.1 This chapter examines the use made of the FOI Act during the reporting year 1 July 1998 to 30 June 1999 and the responses by agencies to requests made under the FOI Act.

1.2 Subsection 93(3) of the FOI Act requires that this report include particulars of:

- the number of requests made;
- the number of decisions granting, partially granting or refusing access;
- the number and outcome of applications for internal review under section 54;
- the number and outcome of applications to the Administrative Appeals Tribunal; and
- fees and charges collected.

Commentary on the more significant statistics is contained in this chapter and Chapters 2 and 3. Detailed statistical information for each agency receiving requests in the reporting period appears in Appendices A-L.

REQUESTS RECEIVED

Types of requests reported

1.3 Agencies are only required to supply information on 'formal' requests; that is, those which meet the requirements of section 15 of the FOI Act. Accordingly, the figures for requests do not include applications which did not satisfy these requirements. Also, section 15A of the FOI Act provides that, where an agency has established procedures for giving employees or former employees access to their personnel records, the employee or former employee must first use those procedures. The employee or former employee, if not satisfied with the result of using those procedures or if not notified within 30 days of the outcome of using the non-FOI Act procedures, may then use the procedures under the FOI Act. Where requests do not satisfy the requirements of section 15, agencies must assist the applicant in making a request which does satisfy the requirements. Many agencies have a policy of satisfying routine requests for information outside the scope of the

FOI Act. This is consistent with section 14 of the FOI Act which makes it clear that the FOI Act is not intended as the sole means of access to documents held by government agencies. Indeed, the FOI Act sets a minimum standard and not a maximum standard for access to information and, therefore, giving access to information outside the Act is consistent with the intention of the Act to promote open government.

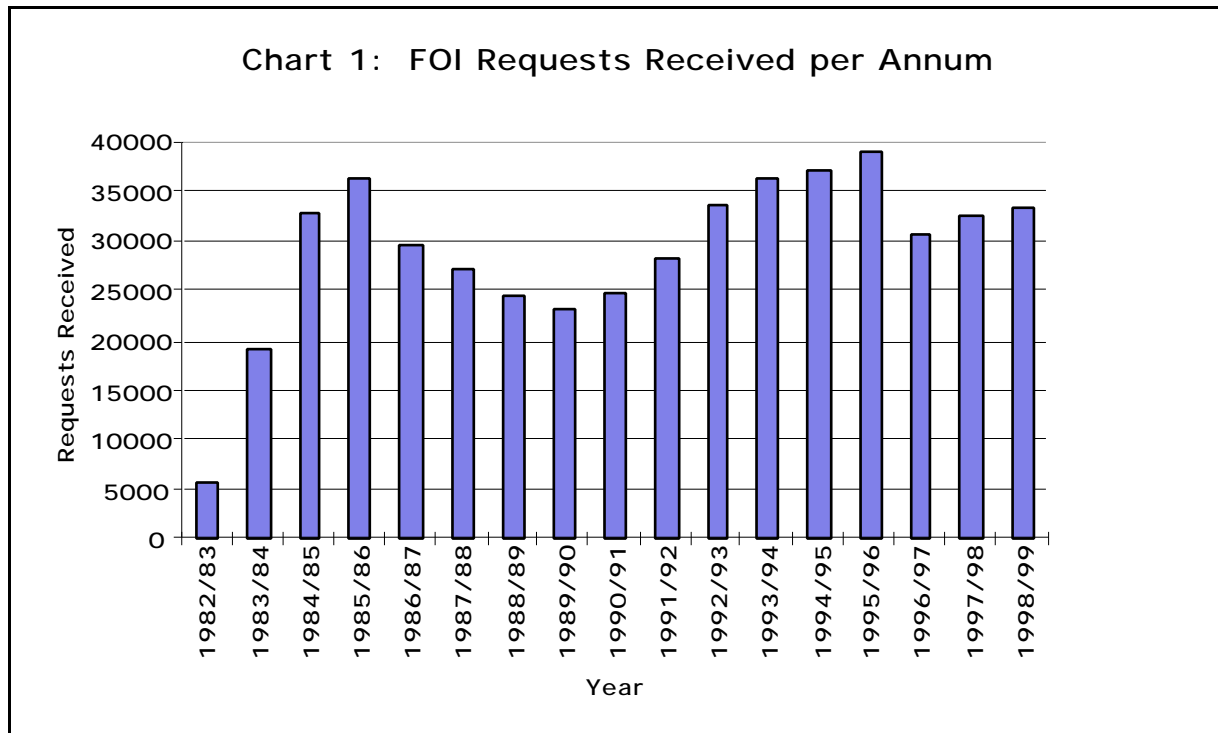
Number of requests received

1.4 During the year a total of 33,484 requests were received, an increase of 894 (2.74%) compared with 1997/98. The number of agencies receiving requests increased from 81 in 1997/98 to 82 in 1998/99. Appendix A provides details of requests received by agencies for the reporting year. Table 1 provides a comparison of requests received in the last three years.

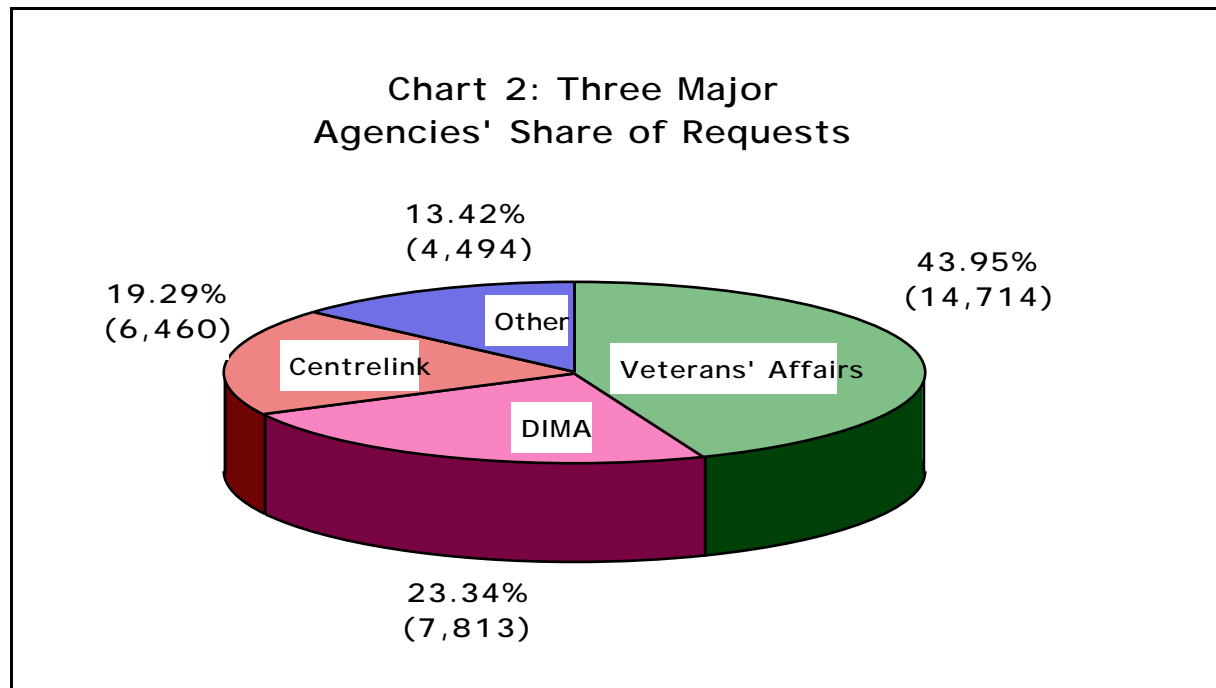
TABLE 1 – FOI Access Requests

	1996/97	1997/98	1998/99
Requests	30,788	32,590	33,484

1.5 Between the date of commencement of the FOI Act on 1 December 1982 and 30 June 1998, Commonwealth agencies had received a total of 499,951 access requests. The total requests to 30 June 1999 is 533,435. Chart 1 shows the total number of access requests made for each year since the commencement of the Act. It should be noted that in 1982/83 the Act operated for seven months only.



1.6 The Departments of Veterans' Affairs, and Immigration and Multicultural Affairs continue to receive the majority of requests, as well as Centrelink. Commonly, requests made to these agencies are from clients seeking access to documents containing their own personal information. Chart 2 shows the share of those agencies of the total number of requests received by all agencies this year.



1.7 As in recent years, the Department of Veterans' Affairs received the largest number of requests. It recorded an increase of 73 requests from the previous year. The Department of Immigration and Multicultural Affairs recorded an increase of 373 requests from the previous year and Centrelink recorded a decrease of 437 requests. The Refugee Review Tribunal (RRT) recorded an increase of 726 requests from the previous year. RRT has advised that one reason for this increase relates to a class action involving the RRT.

1.8 Agency share of requests falls sharply after the top three. The top 20 agencies for the reporting year are shown in Table 2 together with shares this year compared to last year and the actual variation of request numbers from the previous year.

TABLE 2 – Top 20 Agencies : Access Requests Received

AGENCY	1997/98	%	1998/99	%	Variation
Department of Veterans' Affairs	14641	44.93	14714	43.95	73
Dept of Immigration & Multicultural Affairs	7440	22.83	7813	23.34	373
Centrelink	6897	21.16	6460	19.29	-437
Refugee Review Tribunal	256	0.79	982	2.93	726
Trade Marks Office	724	2.22	727	2.17	3
Australian Taxation Office	536	1.65	452	1.35	-84
Department of Defence	165	0.50	185	0.55	20
Commissioner for Superannuation	161	0.49	165	0.49	4
Australian Federal Police	122	0.37	159	0.47	37
Defence Force Rtrmnt & Dth Bnfts Authority	160	0.49	139	0.42	-21
Civil Aviation Safety Authority	*	*	124	0.37	*
Telstra Corporation Limited	87	0.27	117	0.35	30
Department of Health and Aged Care	*	*	114	0.34	*
Patents Office	87	0.27	109	0.33	22
Attorney-General's Department	*	*	97	0.29	*
Dept of EmPLY, W/Relation and S/Business	*	*	84	0.25	*
Dept of Family & Community Services	*	*	84	0.25	*
Dept of Transport & Regional Services	*	*	74	0.22	*
Department of Foreign Affairs & Trade	54	0.17	65	0.19	11
Australian Customs Service	43	0.13	58	0.17	15
Top 20	31987	98.15	32722	97.72	735
Remaining Agencies	603	1.85	762	2.28	159
TOTAL	32590	100.00	33484	100.00	894

* Denotes an agency not listed as among the Top 20 agencies for 1997/98

1.9 Of the 82 agencies receiving requests this year:

- 37 agencies (45%) received 10 or less requests;
- 21 agencies (26%) received between 11 and 40 requests;
- 10 agencies (12%) received between 41 and 100 requests;
- 11 agencies (13%) received between 101 and 1,000 requests; and
- 3 agencies (4%) received more than 1,000 requests.

FOI ACCESS REQUESTS DETERMINED 1998/1999

1.10 Based on the figures provided by agencies and reproduced in the Appendices, the number of requests in the year under report:

• on hand at beginning of year was	2097 ¹
• received was	33484 ²
• requiring determination was	35581 ³
• determined was	31535 ⁴
• withdrawn was	1346 ⁵
• transferred in whole was	462 ⁶
• finalised in total was	33343 ⁷
• on hand at end of year was	2238 ⁸

1.11 Table 3 shows FOI access decision-making in 1998/99 compared with the previous year.

TABLE 3 – FOI Access Requests Determined

DECISION	1997/98	%	1998/99	%
Granted in Full	25097	80.68	25086	79.55
Granted in Part	4682	15.05	4971	15.76
Refused	1327	4.27	1478	4.69
TOTAL	31106	100.00	31535	100.00

1.12 The number of requests granted in full has decreased by 11 while the number of requests granted in part has increased by 289. The number of requests determined has increased by 429 (1.38%) which can be attributed to the increase in requests received for 1998/99. The number of requests granted in full or in part, or refused, for each agency are set out in Appendix B.

1.13 Table 4 shows decision-making by the 20 agencies that received the most access requests in the year under report. The high grant rate of many of those agencies is to be expected because the majority of requests are from clients seeking access to documents containing their own personal information.

¹ The 2097 figure reported is 53 less than requests reported as on hand at the end of the 1997/98 financial year. This reflects revised figures provided by agencies. The problem with the transition between reporting periods occurs each year.

² See 'Total Requests Received' in Appendix A.

³ The number of requests requiring determination is the sum of requests on hand at the beginning of the year and requests received.

⁴ See 'Total Determined' in Appendix B. The number of requests determined is the sum of requests granted in full, requests granted in part and requests refused.

⁵ See 'Withdrawn' in Appendix B.

⁶ See 'Transferred in Whole' in Appendix B.

⁷ See 'Requests Finalised' in Appendix A. The number of requests finalised in total is the sum of requests determined, withdrawn and transferred in whole.

⁸ See 'On Hand 30th June' in Appendix A. The number of requests on hand at end of year is the result of the number of requests finalised in total subtracted from the number of requests requiring determination.

TABLE 4 – Determination of Requests by the Top 20 Agencies

AGENCY	Granted in Full	%	Granted in Part	%	Refused	%
Department of Veterans' Affairs	14495	99.67	21	0.14	27	0.19
Dept of Immigration & Multicultural Affairs	4469	62.36	2264	31.59	434	6.06
Centrelink	3989	65.23	1455	23.79	671	10.97
Trade Marks Office	507	70.42	213	29.58	0	0
Refugee Review Tribunal	503	72.27	186	26.72	7	1.01
Commissioner for Superannuation	162	99.39	0	0	1	0.61
Defence Force Rtrmnt & Dth Bnfts Authority	131	97.04	0	0	4	2.96
Patents Office	90	90.00	7	7.00	3	3.00
Department of Defence	86	53.75	52	32.50	22	13.75
Australian Taxation Office	78	21.37	242	66.30	45	12.33
Civil Aviation Safety Authority	48	54.55	29	32.95	11	12.50
Dept of Family & Community Services	44	62.86	20	28.57	6	8.57
Telstra Corporation Limited	42	38.18	31	28.18	37	33.64
Department of Health and Aged Care	35	59.32	9	15.25	15	24.42
Dept of Employment, Workplace Relations & Small Business	34	39.08	32	36.78	21	24.14
Australian Federal Police	28	20.44	70	51.09	39	28.47
Dept of Education, Training & Youth Affairs	24	41.38	17	29.31	17	29.31
Airservices Australia	23	67.65	11	32.35	0	0
Commonwealth Ombudsman	22	55.00	15	37.50	3	7.50
Australian Customs Service	20	39.22	17	33.33	14	27.45
Top 20	24830	78.74	4691	14.88	1377	4.37
Remaining Agencies	252	0.81	280	0.88	98	0.32
TOTAL	25086	79.55	4971	15.76	1478	4.69

1.14 Table 5 shows those agencies which determined more than 10 requests and granted full access to more than 90% of requests received.

TABLE 5 – Agencies with Greater than 90% 'Granted in Full' Rate

AGENCY	Requests Determined	Granted In Full	%
AusIndustry	20	20	100.0
Designs Office	16	16	100.0
Department of Veterans' Affairs	14543	14495	99.67
Commissioner for Superannuation	163	162	99.39
Defence Force Rtrmnt & Dth Benefits Authority	135	131	97.04
Australian Maritime Safety Authority	15	14	93.33

1.15 Table 6 shows those agencies which determined more than 10 requests and granted access in full to less than 50% of those requests.

TABLE 6 – Agencies with Less than 50% ‘Granted in Full’ Rate

AGENCY	Requests Determined	Granted In Full	%
CSIRO	17	8	47.06
Aboriginal and Torres Strait Islander Comm	19	8	42.11
Dept of Education, Training & Youth Affairs	58	24	41.38
Department of Treasury	25	10	40.00
Australian Customs Service	51	20	39.22
Department of Employment, Workplace Relations and Small Business	87	34	39.08
Telstra Corporation Limited	110	42	38.18
Australian Securities and Investments Comm	38	13	34.21
Attorney-General’s Department	42	12	28.57
Dept of Environment & Heritage	13	3	23.08
Australian Taxation Office	365	78	21.37
Australian Federal Police	137	28	20.44
Dept of Foreign Affairs & Trade	52	9	17.31
Dept of Finance & Administration	19	3	15.79
Dept of Transport and Regional Services	57	7	12.28
Dept of the Prime Minister and Cabinet	12	1	8.33
Health Insurance Commission	13	1	7.69

TIME TAKEN TO RESPOND TO FOI ACCESS REQUESTS

1.16 An agency which, or a Minister who, receives a request which satisfies the requirements of section 15 must comply with it by notifying the applicant of the decision on the request within 30 days of the day after the request is received. Where an agency or Minister is considering releasing a document which concerns a State Government, commercial organisation or private individual (third parties), the agency or Minister is required to consult with the relevant third party in accordance with sections 26A, 27 or 27A before making a final decision in respect of the release of that document. In such cases the 30 day processing time limit for the request may be extended by a further 30 days, providing a permissible response time of up to 60 days. If the time limit for the request is extended, the applicant must be informed.

1.17 In addition to consultation requirements, other factors which have been identified as resulting in response times exceeding 30 days are: (a) untimely transfers having occurred between agencies; and (b) agreement between an agency and an FOI applicant to a time limit which exceeds 30 days.

1.18 The time taken by agencies to notify access decisions (to grant access in whole or in part or to refuse access) is set out in Table 7. Appendix C provides full details of response times for agencies.

TABLE 7 – Response Times : FOI Access Requests

Response Time	1997/98	%	1998/99	%
0-30 Days	23791	76.48	24184	76.69
31-60 Days	5316	17.09	5186	16.44
61-90 Days	1039	3.34	1261	4.00
Over 90 Days	960	3.09	904	2.87
TOTAL	31106	100.00	31535	100.00

1.19 Table 7 shows that the percentages for response time categories this year are similar to the percentages to those recorded last year. The total of 31535 for 1998/99 corresponds with the total requests determined in Table 3.

1.20 Table 8 shows those agencies which notified more than 20 decisions on access for the period of 31-60 days, together with the proportion which those decisions represent of the total number of decisions notified by those agencies during the year.

TABLE 8 – Response Time : 31 - 60 Days

AGENCY	Total Requests Determined	31-60 days	%
Department of Veterans' Affairs	14543	1945	13.37
Dept of Immigration & Multicultural Affairs	7167	1660	23.16
Centrelink	6115	1043	17.06
Australian Taxation Office	365	95	26.03
Refugee Review Tribunal	696	74	10.63
Department of Defence	160	35	21.88
Civil Aviation Safety Authority	88	31	35.23
Telstra Corporation Authority	110	30	27.27
Dept of Transport and Regional Services	57	23	40.35
Dept of Foreign Affairs and Trade	52	22	42.30

1.21 Table 9 shows those agencies which notified 10 or more access decisions for the period of 61-90 days.

TABLE 9 – Response Time : 61 - 90 Days

AGENCY	Total Requests Determined	61-90 days	%
Dept of Immigration & Multicultural Affairs	7167	516	7.20
Centrelink	6115	306	5.00
Department of Veterans' Affairs	14543	261	1.79
Refugee Review Tribunal	696	29	4.17
Department of Defence	160	20	12.50
Civil Aviation Safety Authority	88	17	19.32
Australian Taxation Office	365	11	3.02
Attorney-General's Department	42	10	23.81

1.22 Table 10 shows those agencies which notified decisions on access beyond 90 days of the request being received.

TABLE 10 – Response Time: Greater than 90 Days

AGENCY	Total Requests Determined	Greater than 90 days	%
Dept of Immigration and Multicultural Affairs	7167	527	7.35
Department of Veterans' Affairs	14543	131	0.90
Centrelink	6115	110	1.80
Department of Defence	160	23	14.38
Australian Taxation Office	365	16	4.38
Civil Aviation Safety Authority	88	15	17.05
Refugee Review Tribunal	696	13	1.87
Department of Health & Aged Care	59	11	18.64
Department of Employment, Workplace Relations and Small Business	87	7	8.04
Dept of Family and Community Services	70	6	8.57
Great Barrier Reef Marine Park Authority	8	6	75.00
Dept of Transport and Regional Services	57	5	8.77
Australian Competition and Consumer Commission	20	5	25.00
Department of Finance and Administration	19	4	21.05
Human Rights and Equal Opportunity Comm	23	3	13.04
Australian Customs Service	51	3	5.88
Department of Foreign Affairs and Trade	52	2	3.84
Dept of Environment and Heritage	13	2	15.38
Dept of Industry, Science and Resources	10	2	20.00
Attorney-General's Department	42	1	2.30
Telstra Corporation Limited	110	1	0.90
Dept of Education, Training and Youth Affairs	58	1	1.72
Aboriginal and Torres Strait Islander Comm	19	1	5.26
Health Insurance Commission	13	1	7.69
CSIRO	17	1	5.88
Commonwealth Director of Public Prosecutions	9	1	11.11
Family Court of Australia	9	1	11.11
Dept of Agriculture, Fisheries and Forestry Australia	22	1	4.54
Department of Communications, Information Technology and the Arts	4	1	25.00
Telstra Corporation Limited	110	1	0.90
Defence Force Retirement & Death Benefits Authority	135	1	0.74
National Gallery of Australia	4	1	25.00

TRANSFER OF REQUESTS

1.23 Section 16 of the FOI Act provides that, as far as possible, the most appropriate agency will deal with an FOI request, regardless of which agency receives it. Agencies can transfer requests where they do not hold the documents being sought, or where the subject matter of the request is more closely connected to the functions of another agency. Only 462 requests (1.38% of all requests received) were transferred in whole during the year. These transfers were effected by 28 agencies. It is possible to transfer part of a request to another agency, however, statistics are not collected on the number of requests partially transferred.

AMENDMENT OF PERSONAL RECORDS

1.24 Part V of the FOI Act confers a right to request an agency or Minister to amend a document to which lawful access has been granted, where the applicant claims that information in the document:

- contains personal information about the applicant;
- is incomplete, incorrect, out of date or misleading; and
- has been used, is being used, or is available for use by the agency or Minister for an administrative purpose.

1.25 During the reporting year, 263 requests for amendment of personal records were received by 12 agencies, representing a decrease of 7.39% on the requests for the previous reporting year. Appendices H, I and J set out full details of agencies' determination of requests for amendment of records. Table 11 compares the pattern of amendment of personal records decision-making this reporting year with the previous reporting year.

TABLE 11 – Determination of FOI Requests for Amendment of Personal Records Received During the Reporting Year

DETERMINATION	1997/98	%	1998/99	%
Grant-Alter Record	104	47.3	78	35.3
Grant-Notate Record	14	6.4	20	9.0
Grant-Alter & Notate Record	12	5.4	19	8.6
Refuse	90	40.9	104	47.1
TOTAL DETERMINED	220	100.0	221	100.0
Matters Not Determined	64		42	

RESPONSE TIME FOR REQUESTS FOR AMENDMENT OF PERSONAL RECORDS

1.26 Agencies are required to notify applicants of decisions on their request as soon as practicable but in any case not later than 30 days after the date the request is received. Agencies are asked to report how many requests they deal with in each of three specified time periods. Table 12 summarises response times for all agencies receiving requests for amendment of personal records during the reporting period.

TABLE 12 – Response Times : Amendment of Personal Records

RESPONSE TIME	No of Requests	% of Total
0-30 Days	103	41.37
31-60 Days	53	21.28
Over 60 Days	93	37.35
TOTAL	249	100.00

FEES AND CHARGES

1.27 The fees and charges have not increased since November 1986. They are designed to ensure that users of the FOI Act make a contribution towards the costs of providing FOI access to documents. As paragraph 1.31 indicates, the amount of fees and charges collected represents a small percentage of the estimated costs of dealing with FOI requests. Fees and charges are not applicable where the requestor is seeking access to his or her own income support documents. Agencies use discretion in deciding to remit application fees and to not impose charges on any relevant ground, but must take into account financial hardship and public interest factors. Appendix D sets out full details of fees and charges notified and collected by agencies.

1.28 Table 13 shows the amounts collected by agencies which together collected more than 85% of all fees and charges revenue.

TABLE 13 – Agencies which Together Collected more than 85% of all Fees and Charges

AGENCY	Requests	Total Fees Collected \$	Charges Collected \$	Total Fees & Charges Collected \$	Average Collected/Request \$
Dept of Immigration and Multicultural Affairs	7813	200570	402	200972	25.72
Trade Marks Office	727	21780	32373	54153	74.49
Australian Taxation Office	452	9070	36233	45303	100.22
Australian Competition & Consumer Commission	19	810	24921	25731	1354.26
Dept of Industry, Science and Resources	17	360	9274	9634	566.70
Dept of Defence	185	2660	3082	5742	31.03
Attorney-General's Dept	97	1230	3685	4915	50.67
Dept of Transport & Regional Services	74	1900	4473	6373	86.12
CSIRO	22	270	8309	8579	389.95
Aust Prudential Regulation Authority	27	750	6153	6903	255.66
Dept of Veterans' Affairs	14714	7520	49	7569	0.51
Civil Aviation Safety Auth	124	3420	478	3898	31.43
Subtotal	24271	250340	129432	379772	15.65
Remaining Agencies	9213	27226	39557	66783	7.25
TOTAL	33484	277566	168989	446555	13.34

Fees

1.29 During the year a total of \$277,566 was collected in respect of application fees. Of that total, \$271,026 was collected in respect of initial processing. This means that agencies collected initial application fees for the equivalent of 9,034 (26.98%) requests. A total of \$6,540 in internal review application fees was collected. Application fees account for 62.16% of total FOI revenue collected.

Charges

1.30 Agencies notified a total of \$308,689 in charges, but collected only \$168,989 (54.74%) of those charges. Where agencies decide that an applicant is liable to pay a charge in respect of the processing of the request, the agency must under section 29 of the FOI Act make a preliminary assessment of the charge and notify the applicant of that charge in writing. The applicant then has the opportunity to withdraw the request, ask that the charge be reduced or not imposed, or agree to pay the charge as assessed. Where an applicant has asked that the charge be reduced or not imposed the agency must consider the applicant's reasons and may decide to reduce the charge or to not impose it.

1.31 During the year under report:

- charges were notified in respect of 1521 requests, or 4.54% of the total requests received;
- the total amount of fees and charges collected was \$446,555, an increase of 13.38% on the amount collected in the previous reporting year;
- an average of \$13.34 in fees and charges was collected in respect of each request received, an increase of 1.04% on the amount collected in 1997/98;
- the average amount of charges collected (not including application fees) per request where charges were notified was \$111.10, an increase of \$30.44 (37.74%) over the previous year; and
- the total amount collected represented 3.42% of the total cost of the FOI Act (see Chapter 3 and Appendix K for further information on the total cost of the FOI Act).

CHAPTER 2

REVIEW OF FOI DECISIONS

INTRODUCTION

2.1 Under the FOI Act, an applicant who is dissatisfied with the decision of an agency on his or her initial FOI request has several avenues for review or redress: first, internal review by the agency; then external merits review by the Administrative Appeals Tribunal (the Tribunal); followed by appeals on possible errors of law to the Federal Court or High Court. In addition, provision is made for complaints at any time on matters of administration to the Commonwealth Ombudsman.

2.2 Third parties under the Commonwealth FOI Act, being State Governments (sections 26A and 33A), commercial organisations (sections 27 and 43) and private individuals (sections 27A and 41), have the same review rights as an FOI applicant in the event that an agency decides to release documents contrary to their submissions. Third parties may, however, choose to appeal direct to the Tribunal, and are not required to first seek internal review.

2.3 Agencies are encouraged to delegate the authority to make initial decisions to the lowest practicable level. This allows agencies to deal with requests efficiently in the first instance, and to conserve the time of their senior officers on FOI matters. The internal review procedure then allows an agency to reconsider its initial decisions at a more senior level before recourse may be had to the Tribunal. Section 23 of the FOI Act permits the responsible Minister or the principal officer of an agency either to make decisions themselves or to authorise officers of the agency to make decisions.

2.4 Part VI of the FOI Act deals both with internal review and the right in various circumstances to seek external merits review of a variety of agency decisions at the Administrative Appeals Tribunal.

INTERNAL REVIEW

2.5 A person dissatisfied with an agency's decision on an application for access may apply to the agency for internal review of the decision (see section 54 of the FOI Act). Such a review is an entirely fresh decision. It is not appropriate for the internal review decision-maker to merely ratify what went before. Instead, the internal reviewer needs to consider matters anew, from the beginning and on their merits, with the consequences which may follow in terms of changed results. Internal review is generally a prerequisite to Tribunal review. Subsection 54(2) requires that the internal review be conducted by a person other than the person who made the initial decision. If the initial decision-maker is the responsible Minister, or the principal officer of the agency, internal review is not available and application for review must be made direct to the Tribunal.

2.6 In the year under report, 383 applications were made for internal review of agency decisions on access requests (see Appendix E), 114 of which were apparently on hand at the end of the reporting period. Applicants challenged just 5.9% of adverse agency decisions on access requests (ie. those decisions to refuse access to documents or to grant access in part – see Table 3 in Chapter 1). Agencies made 259 decisions on internal review, with 177 (68.3%) of those decisions affirming the original decision and 82 (31.7%) decisions resulting in some concession by agencies to applicants, and 10 applications were withdrawn.

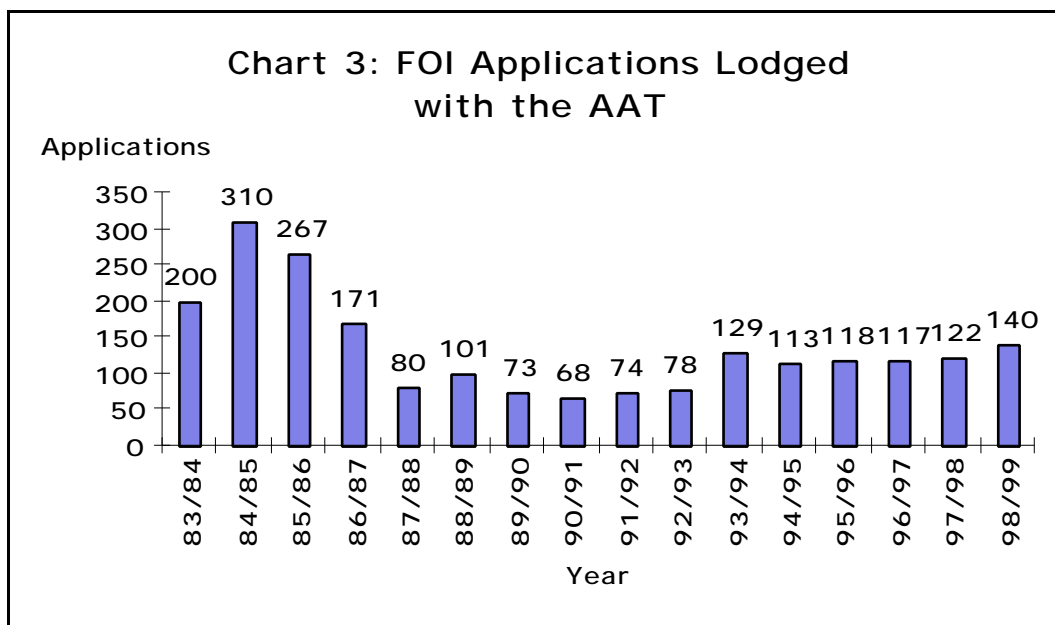
2.7 There were 17 applications for internal review of decisions concerning amendment of personal records (see Appendix I), seven of which were apparently on hand at the end of the reporting period. Agencies made 10 decisions on internal review, with eight decisions affirming the original decision and two decisions amending records.

ADMINISTRATIVE APPEALS TRIBUNAL

2.8 In external merit reviews (setting aside its recommendatory role in relation to conclusive certificates), the Tribunal considers the facts, law and policy aspects of the original decision afresh, and can make a new decision affirming, varying or setting aside the original decision. 'Merits review is characterised by the capacity for substitution of the decision of the reviewing person or body for that of the original decision maker' (*Better Decisions: review of Commonwealth Merits Review Tribunals*, September 1995, page 9). Where, however, it is established that a document is an 'exempt document' under the FOI Act, the Tribunal does not have power to decide that access to the document, so far as it contains exempt matter, is to be granted (subsection 58(2), FOI Act). The Tribunal's decision may be appealed, in relation to errors of law only, to the Federal Court. The fee for an application to the Tribunal is \$505, with provision for increases on each biennial anniversary of 1 July 1996 (based on a calculation related to Consumer Price Index figures).

2.9 Chart 3 shows the number of FOI applications recorded by the Tribunal each year. Appendix F contains applications and results as reported by agencies. As in the previous year, there is a considerable discrepancy between the number of applications reported by agencies (61 – see Appendix F) and that reported by the Tribunal (140 - see Appendix G). The figures recorded by agencies and the Tribunal

show the situation in relation to the discrepancy has improved compared with that reported at paragraph 6.10 in the 1995/96 Report. The possible reasons for such discrepancies were canvassed in detail in the 1994/95 Report at paragraph 4.7. The Tribunal's figures are clearly more accurate as a picture of the external appeals figures. Appendix G to this year's report provides a breakdown of application numbers in Tribunal FOI matters as drawn from Tribunal case data.



2.10. Table 14 shows a breakdown by State and Territory Registry of the status of applications to the Administrative Appeal Tribunal. This material has been provided by the Administrative Appeals Tribunal.

TABLE 14 – Appeals to the Administrative Appeals Tribunal : Breakdown by Registry

Registry	Current at 30 June 1998	Lodged 1998/99	Decided 1998/99	Current at 30 June 1999
NSW	19	68	55	32
VIC	25	21	25	21
QLD	13	25	17	21
SA	5	7	11	1
WA	11	11	11	11
TAS	2	2	3	1
ACT	10	6	9	7
NT	0	0	0	0
TOTAL	85	140	131	94

2.11. Table 15 shows a breakdown of the outcome of decided applications to the Administrative Appeal Tribunal. This material has been provided by the Administrative Appeals Tribunal.

TABLE 15 – Outcome of Decided Applications to the Administrative Appeals Tribunal : 1998-99

BY CONSENT		BY DECISION		OTHER	
	Total		Total		Total
Affirmed	0	Set Aside	6	Delisted	2
Set Aside	12	Varied	5	Transferred	0
Varied	6	Remitted	1	No Fee Paid	2
Remitted	0	Affirmed	12	Other	8
Dismissed/Withdrawn ⁹	63	No Jurisdiction	6		
		Dismissed ¹⁰	8		

OMBUDSMAN

2.12 During the year the Commonwealth Ombudsman received 253 complaints about FOI matters (this represents a decrease of 8% from 276 in the previous year). The complaints comprised 0.76% of the total number of FOI requests made during the year. Details of FOI complaints to the Ombudsman are contained in Annual Reports of the Commonwealth Ombudsman.

2.13 The Ombudsman has a statutory role under the FOI Act to review complaints about the handling of FOI requests by Commonwealth agencies.

2.14 In his 1998-99 Annual Report, the Ombudsman reports on an own motion inquiry which he conducted into agencies' administration of the FOI Act. The inquiry resulted from a trend in complaints to the Ombudsman which had indicated that there were certain administrative problems in the handling of FOI requests. The Ombudsman's report, entitled *Needs to Know*, was released on 3 June 1999. The Ombudsman's investigation revealed problems in the recording of FOI decisions and probable misuses of the exemption provisions in some instances to avoid disclosure of information, particularly in those agencies which are more likely to receive requests about government policy matters.

2.15 The Ombudsman's report made a range of recommendations designed to reinforce the principles and provisions contained in the FOI Act, and to help agencies improve their compliance with the FOI Act through better administration. The Attorney-General has agreed to one of the report's recommendations, which is that when reporting, agencies will in the future distinguish between FOI requests for personal and non-personal information. The Attorney-General's Department will begin consulting agencies about this matter. Other recommendations suggesting certain action which might be taken by the Attorney-General's Department in relation to responsibilities in administering the FOI Act are under consideration. The

⁹ Includes matters dismissed at the request of the applicant under subsections 42A(1A) and (1B).

¹⁰ Includes matters dismissed under Section 42B (frivolous or vexatious), 42A(2) (non-appearance), 42A(4) (non-reviewable) and 42A(5) (failure to comply with a direction of the Tribunal).

Ombudsman's report also recommended a number of possible improvements in agency FOI practices. The Secretary of the Attorney-General's Department wrote to agency heads asking them to consider the recommendations in the Ombudsman's report relating to FOI practices in their agencies to ensure that they have effective processes in place to provide access to government information in accordance with the FOI Act.

CHAPTER 3

IMPACT OF FOI ON AGENCY RESOURCES

INTRODUCTION

3.1 This chapter is concerned with the impact on agency resources of the FOI Act, assessed from reports by agencies relating to the costs of administration of the legislation.

3.2 Summaries of FOI costs identified in 1998/99 are contained in Appendices K and L. For the purposes of calculating the costs of administering the FOI Act, agencies were required to provide an estimate of the staff years expended on FOI matters (the smallest unit being equal to 20 hours) and estimates of non-staff costs directly attributable to FOI (such as photocopying). Agencies submit these estimates annually. Experience shows that agencies rarely keep exact records on hours spent by officers on FOI matters and other non-labour costs incurred.

TOTAL COST

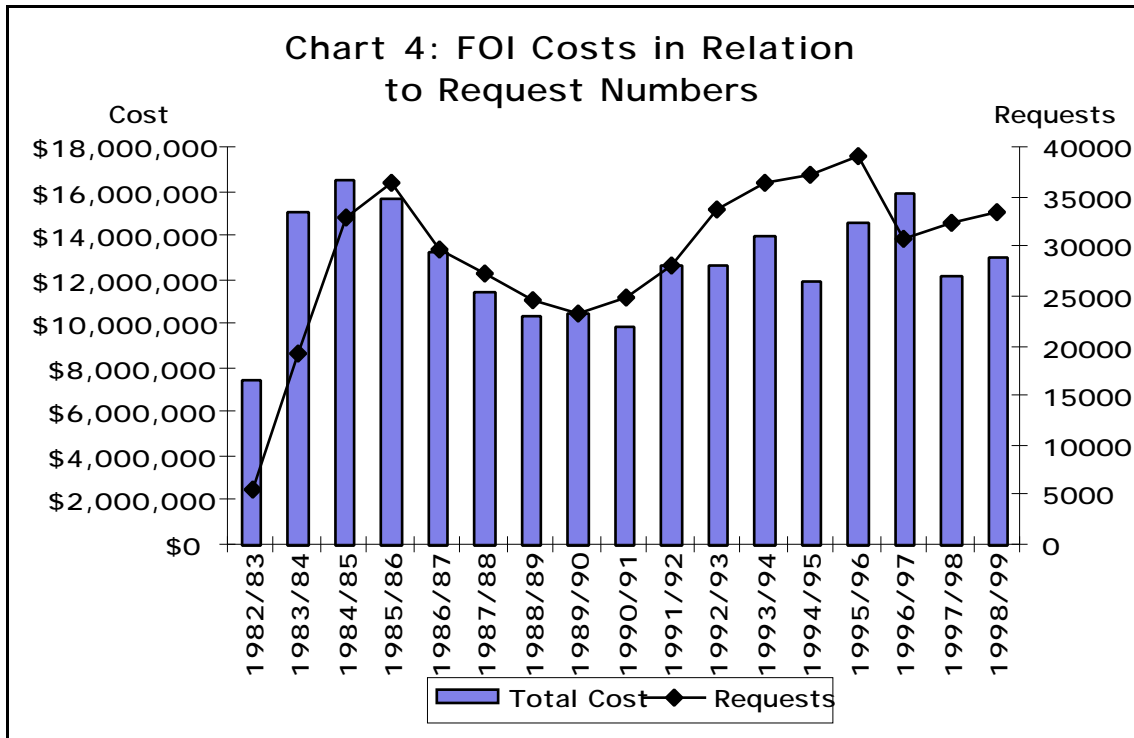
3.3 The total reported cost attributable to the FOI Act during 1998/99 was \$13,066,029, which is an increase of \$874,551 (7.17%) on the previous year. The comparative yearly cost figures since the commencement of the Act are shown in Table 16.

TABLE 16 – Comparative Yearly Cost of FOI

<u>Year</u>	<u>Total Cost</u>	<u>Year</u>	<u>Total Cost</u>	<u>Year</u>	<u>Total Cost</u>
1982/83*	\$7,502,355	1988/89	\$10,373,321	1994/95	\$11,955,482
1983/84	\$15,106,511	1989/90	\$10,494,376	1995/96	\$14,564,562
1984/85	\$16,496,961	1990/91	\$9,921,772	1996/97	\$15,972,950
1985/86	\$15,711,889	1991/92	\$12,723,097	1997/98	\$12,191,478
1986/87	\$13,336,864	1992/93	\$12,702,329	1998/99	\$13,066,029
1987/88	\$11,506,931	1993/94	\$13,977,360		

*(7 months only)

3.4 Chart 4 shows the relation of total costs to request numbers received for each year since the commencement of the Act. Table 22 sets out costs comparisons from 1993/94 to 1998/99.



COST OF FOI FOR 1998/1999

Staff costs

3.5 All agencies are required to supply information about staff resources allocated to FOI. The information includes the number of staff who:

- (1) spent 0-75% of their time on FOI work; and
- (2) spent 75-100% of their time on such work.

This covers all facets of processing requests including:

- search and retrieval;
- consultation with third parties;
- decision-making; and
- internal review.

In addition, non-access activities such as training and compiling section 8 and section 9 statements are included. Totals for FOI staffing for this and the previous period are shown in Table 17.

TABLE 17 – Total FOI Staffing

	1997/98	1998/99
Total Staff 75-100% time on FOI matters	104	121
Total Staff 0-75% time on FOI matters	1872	1819
Total staff years	161.77	156.06

3.6 Agencies provided estimates of the number of staff-years (0.01 equals 20 hours) spent on FOI to enable calculation of salary costs (and 60% related costs) directly attributable to FOI, details of which are provided in Table 18. As the level at which decisions and reviews are taken differs between agencies, the following annual salaries were applied¹¹:

- Officers whose duties included FOI work \$42,626¹²
- Other officers involved in processing requests
 - SES officers (or equivalent) \$91,953¹³
 - APS Level 6 & Executive Levels 1-2 \$60,046¹⁴
- Support staff (APS Levels 1-5) \$34,901¹⁵
- Minister's Office
 - Minister and advisers \$73,414¹⁶
 - Minister's support staff \$34,901¹⁷

¹¹ The *Workplace Relations Act 1996* instituted new arrangements for determining salaries for employees of agencies. Separate determinations have been made in respect of employees of different agencies. As the current salary levels differ among agencies, a decision was made to use an average of the salary levels of the four agencies that recorded the highest total FOI costs (as contained in Appendix K). This reflects the best assessment of salary levels.

¹² Equivalent to the top increment of an Australian Public Service Level 5 as at 30 June 1999.

¹³ Equivalent to the top increment of a Senior Executive Service Band 1 as at 30 June 1999.

¹⁴ Equivalent to the top increment of an Executive Level 1 as at 30 June 1999.

¹⁵ Equivalent to the top increment of an Australian Public Service Level 3 as at 30 June 1999.

¹⁶ Equivalent to the top increment of an Executive Level 2 as at 30 June 1999.

¹⁷ Equivalent to the top increment of an Australian Public Service Level 3 as at 30 June 1999.

TABLE 18 – Estimated Staff Costs of Freedom of Information

	Staff-Years	Salary Costs (\$)	Related Costs (60%) (\$)	Total Staff Costs (\$)
Officers whose duties included FOI work	127.14	5,419,470	3,251,682	8,671,152
<i>Other officers involved in processing requests:</i>				
– SES	8.35	767,808	460,685	1,228,493
– APS Level 6 & Executive Levels 1-2	12.35	741,568	444,941	1,186,509
<i>Support Staff</i>				
– APS Levels 1-5	8.02	279,906	167,944	447,850
<i>Ministerial Staff</i>				
– Minister and advisers	0.16	11,746	7,048	18,794
– Minister’s support staff	0.04	1,396	838	2,234
Total ¹⁸	156.06	7,221,894	4,333,138	11,555,032

3.7 Compared with 1997/98, Table 18 represents a decrease of 5.71 staff years (3.53%) for Officers whose duties included FOI work. There has been an increase in staff years of 3.84 (85.14%) for SES involved in processing requests, and a decrease of 3.57 staff years (30.80%) for APS Levels 1-5 involved in processing requests.

Identified non-staff expenditure

3.8 Non-staff costs directly attributable to FOI are summarised in Table 19 with full agency details in Appendix L. Overall, non-labour costs increased by \$335,759. Of the 11 categories in Table 19, seven showed an increase compared to 1997/98, the largest being Solicitors’ fees which increased by \$231,806. The biggest decrease by category was in postage costs, which fell by \$12,039.

TABLE 19 – Identified Non-Staff Costs

Item	1997/98 \$	1998/99 \$
Photocopying	239,165	251,575
Printing	16,344	16,278
Purchase of material	11,090	8,737
Postage	85,783	73,744
Telephone	98,429	109,837
Travel	51,256	72,734
Solicitors’ fees	428,632	660,438
Counsel fees	118,860	126,751
Applicants’ litigation costs	0	820
Computer time	102,453	163,664
Other	23,228	26,421
Total	1,175,240	1,510,999

¹⁸ Salary Costs and Related Costs figures have been rounded.

Administration

3.9 Appendix K summarises the costs of all agencies that spent 0.01 or more staff years on FOI matters or reported a non-labour cost. The following paragraphs relate only to agencies appearing in Appendix K. As in previous years, Appendix K reveals marked differences between agencies in so far as the average staff days per request and the average cost per request are concerned. The average staff days per request (where this was reported) ranged from 0.08 to 93.77 with the overall average being 1.24. As in previous years, these statistics confirm that some of the large client service departments handle high volumes of requests very quickly because of the routine nature of requests made to them in contrast to the smaller policy orientated agencies which may deal with fewer, but more complex, requests.

3.10 The average cost per request ranged from \$3 for the Australian Wheat Board to \$36,104 for the Australian Nuclear Science and Technical Organisation. The average cost for 13 agencies was less than \$200 per request, as shown in Table 20.

TABLE 20 – Agencies with Average Cost per Request Less than \$200

AGENCY	Average Cost	Requests
Australian Wheat Board	\$3	2
ScreenSound Australia	\$15	1
Defence Force Retirement & Death Benefits Authority	\$28	139
Patents Office	\$34	109
Office of Film and Literature Classification	\$35	1
Designs Office	\$44	15
Australian Film Commission	\$50	1
Trade Marks Office	\$61	727
Department of Veterans' Affairs	\$71	14714
Australian Maritime Safety Authority	\$90	15
Refugee Review Tribunal	\$94	982
Administrative Appeals Tribunal	\$168	7
Civil Aviation Safety Authority	\$167	124

3.11 The average cost for six agencies was higher than \$10,000 per request, as shown in Table 20. Last year, four agencies recorded an average cost per request of greater than \$10,000.

TABLE 21 – Agencies with Average Cost per Request Higher than \$10,000

AGENCY	Average Cost	Requests
Dept of Industry, Science and Resources	\$10,174	17
Reserve Bank of Australia	\$10,138	3
Australian Electoral Commission	\$15,082	11
Australian Securities & Investments Commission	\$16,444	47
Dept. of Communications, Info Tech and the Arts	\$25,184	8
Australian Nuclear Science and Technical Org	\$36,104	6

Internal review and appeals

3.12 Although agencies were asked to identify costs paid to legal counsel and solicitors' fees, they were not requested to provide separate details of the costs of all review and appeal procedures under the Act. Internal review costs may constitute a considerable component of overall costs, as internal review is usually conducted by the principal officer or other very senior officers. In addition, some agencies received requests which were resource intensive either by their volume or complexity.

3.13 The costs would further increase where the decision on the request was the subject of an application to the AAT. As in previous years, AAT appeals have involved senior officers, where, for instance, they may have given oral evidence at a hearing, or have prepared affidavit evidence.

COST COMPARISON FROM 1993/94 TO 1998/99

3.14 The costs and the number of requests received for this year compared with those reported for 1993/94 to 1998/99 are listed in Table 22.

TABLE 22 – Average Cost per Request

Period	Requests Received	Total Cost	Average Cost per Request¹⁹
1993/94	36,547	\$13,977,360	\$382
1994/95	37,367	\$11,955,482	\$320
1995/96	39,327	\$14,564,562	\$370
1996/97	30,788	\$15,972,950	\$519
1997/98	32,590	\$12,191,478	\$374
1998/99	33,484	\$13,066,029	\$390

¹⁹ This figure is calculated by dividing the total for Requests Received into Total Cost. The Average Cost per Request figure may differ from the Average Cost per Request figure in Appendix K because Appendix K records only requests received from agencies which spent 0.01 or more staff years on FOI matters or reported a non-labour cost. Consequently, in some years the Requests Received figure in Appendix K may be less than the Requests Received figure in Table 22.

CHAPTER 4

ADMINISTRATION OF THE FOI ACT

INTRODUCTION

4.1 This chapter reports action taken during the year under report to co-ordinate the administration of the FOI Act, assist agencies to fulfil their obligations under the FOI Act and assist members of the public to understand the rights which the FOI Act confers.

CO-ORDINATION AND ADMINISTRATION OF THE FOI ACT

4.2 Each agency is responsible for meeting its own obligations under the FOI Act. The Attorney-General and, on his behalf, the Information Law Branch (ILB) of the Attorney-General's Department, is responsible for the general administration of the FOI Act.

4.3 In the year under report, the work of the ILB included legal, policy and administrative advising regarding the FOI Act. Although each agency is responsible for its decisions made under the FOI Act, agencies often seek the advice of the Attorney-General's Department in relation to legal, policy and procedural matters arising from particular requests. The ILB provides both oral and written advice.

MEASURES TO ASSIST AGENCIES TO COMPLY WITH THE FOI ACT

FOI Guidelines - Statistics and Reporting

4.4 During the year under report, Guidelines were issued to agencies regarding the completing of FOI Quarterly and Annual Statistical returns. The Guidelines replace New FOI Memorandum No. 20 on Statistics and Reporting (which was issued in May 1993). The Guidelines are available electronically at the front menu of the Internet-based system which agencies use to submit statistics (see paragraph 4.14 below for information concerning this system). The Guidelines are also available in hardcopy or electronic form from the ILB on telephone: (02) 6250 6492. The Guidelines are reproduced in Appendix N.

MEASURES TO ASSIST THE PUBLIC

FOI pamphlet

4.5 The Attorney-General's Department has produced a general information pamphlet on FOI, copies of which may be obtained from the Department and from most Commonwealth departments and agencies. The pamphlet is also available on the Attorney-General's Department Internet site, Window on the Law, at http://law.gov.au/publications/FOI_act/Welcome.html

FOI Annual Report

4.6 This Annual Report on the Operation of the *Freedom of Information Act 1982* is also available on the Attorney-General's Department Internet site, Window on the Law, at http://law.gov.au/publications/FOI_98_99/Welcome.html

FOI Home Page

4.7 The Attorney-General's Department is establishing a Freedom of Information Home Page on its Internet site at <http://law.gov.au>

Section 8 statements

4.8 Section 8 of the FOI Act requires each Minister responsible for an agency to publish annually a statement setting out details of the functions of the agency, categories of documents held, and arrangements for access by the public to documents in the possession of the agency. These statements are published in conjunction with the Annual Report of the agency or of the portfolio department to which the agency relates.

Section 9 statements

4.9 Section 9 of the FOI Act requires the principal officer of each agency to make available at National Archives of Australia offices in all capital cities a statement listing documents used by the agency in making decisions that affect the public. The statements are required to be updated at three-monthly intervals where practicable, and in any case within 12 months after the last statement. Principal officers are also required to make available for inspection and purchase all documents listed in the section 9 statements.

4.10 Section 9 statements are held in all National Archives reading rooms and the dates to which the statements are correct are set out in Table 23. However, it is apparent that a number of agencies in Table 23 are not subject to the FOI Act because those agencies have in fact changed their name, been absorbed into, or amalgamated with another agency, or ceased to exist. A list of agencies and Ministers subject to the FOI Act, as provided by agencies, is at Appendix M.

TABLE 23 – Section 9 Statements held by the National Archives of Australia as at 29 September 1999

AGENCY	CORRECT TO
Albury-Wodonga Development Corporation	25 February 1999
Attorney-General's	29 April 1999
AUSTEL	2 February 1995
Australia Council	1 August 1995
Australian Broadcasting Authority	31 January 1995
Australian Broadcasting Corporation	May 1995
Australian Bureau of Statistics	July 1999
Australian Statistics Advisory Council	July 1999
Australian Competition and Consumer Commission	27 June 1997
Australian Customs Service	18 March 1997
Australian Institute of Aboriginal & Torres Strait Islander Studies	June 1995
Australian Institute of Marine Science	11 March 1998
Australian National Botanical Gardens	1 March 1987
Australian Postal Corporation	30 December 1995
Australian Prudential Regulation Authority	1 September 1999
Australian Securities Commission	May 1997
Australian Taxation Office	2 January 1996
Canberra National Memorials Committee	1 March 1987
Civil Aviation Safety Authority	July 1996
Commonwealth Ombudsman	7 October 1998
CSIRO	30 June 1999
Communications, Information Technology and the Arts	31 July 1999
Defence	15 November 1998
Employment, Education and Training	1 August 1992
Environment	15 November 1998
Finance and Administration	30 June 1999
Foreign Affairs and Trade	31 December 1998
Great Barrier Reef Consultative Authority	1 March 1987
Health and Family Services	July 1997
Health Insurance Commission	9 July 1999
Housing and Regional Development	30 December 1995
Immigration and Multicultural Affairs	26 June 1996
Industry, Science and Tourism	10 September 1998
National Competition Council	2 June 1997
National Library of Australia	17 June 1997

Table 23 Continued

AGENCY	CORRECT TO
National Museum of Australia	17 June 1997
Prime Minister and Cabinet	December 1998
Public Service and Merit Protection Commission	4 September 1998
Reserve Bank of Australia	9 November 1998
Royal Australian Mint	13 June 1997
Social Security	27 March 1997
Spectrum Management Agency	31 July 1996
Superannuation Complaints Tribunal	7 July 1999
Tourism	30 June 1995
Transport and Regional Services	30 June 1999
Treasury	15 June 1998
Veterans' Affairs	31 May 1999
Workplace Relations and Small Business	3 June 1998

MONITORING FOI DECISION-MAKING AND WORKLOAD

Extent of reporting

4.11 Section 93 requires statistics to be provided to the Attorney-General's Department by agencies. These statistics are used by the Attorney-General, as the Minister administering the Act, in compiling this Annual Report to Parliament on the FOI Act.

Frequency of reporting

4.12 Agencies are required to submit statistical returns every quarter and an annual statistical return at the end of each year.

Inadequacy of statistical collection

4.13 Deficiencies in the reporting practices of some agencies are part of the reason for this Annual Report's statistical inconsistencies. Unfortunately, the overall quality of statistical information provided by agencies is of a mixed standard. While some agencies make the effort necessary to record accurate statistics to the extent of installing software packages to accomplish this end, this does not apply to the majority of agencies. In some cases there is no centralised collection of statistics.

4.14 The Attorney-General's Department has undertaken a number of activities to improve the quality of statistical information. It has developed an Internet-hosted database system for the electronic lodgment of statistics. The system incorporates checks in the data entry to ensure that data is correctly calculated. As a result of the system, agencies are now able to enter their own FOI statistics via the Internet. The new system has made it easier for agencies to provide statistics. Previously, staff from the Attorney-General's Department manually entered all agencies' statistics

from paper-based Quarterly and Annual Statistical Returns submitted by agencies. Those agencies that do not have Internet access are still able to submit paper-based returns and ILB staff will input those returns. In addition to this initiative, a stocktake of the list of agencies and Ministers subject to the FOI Act was undertaken in order to improve the comprehensiveness of the list.

CHAPTER 5

AMENDMENT OF THE FOI ACT

INTRODUCTION

5.1 During the reporting year there were no major amendments to Commonwealth freedom of information legislation but there were minor amendments to the FOI Act.

AMENDMENT OF THE FOI ACT

5.2 The *Judiciary Amendment Act 1999* amended Schedule 2 of the FOI Act. The amendments commenced on 1 September 1999 and are detailed below.

5.3 Part I of Schedule 2 of the FOI Act lists bodies which are exempt agencies for the purposes of the application of the FOI Act. The *Judiciary Amendment Act 1999* amended Schedule 2 of the FOI Act by inserting the “Australian Government Solicitor” into Part I of Schedule 2 and repealing the entry for the Australian Government Solicitor in Division 1 of Part II of Schedule 2.

5.4 Part II of Schedule 2 lists agencies exempt in respect of particular documents. The *Judiciary Amendment Act 1999* amended Division 1 of Part II of Schedule 2 of the FOI Act by inserting at the end of the entry for the Attorney-General’s Department “and in relation to documents in respect of commercial activities undertaken by the Australian Government Solicitor”.

Request Numbers

AGENCY	On Hand 1st July	Requests Received From Applicant	Requests on Transfer	Total Requests Received	% of Total All Agncs Reqsts Recd	Requests Finalised	On Hand 30th June
COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS							
Australia Council	1	2	0	2	0.01	3	0
Australia Post	3	18	0	18	0.05	21	0
Australian Broadcasting Authority	0	9	0	9	0.03	6	3
Australian Broadcasting Corporation	1	9	0	9	0.03	9	1
Australian Communications Authority	0	2	0	2	0.01	2	0
Australian Film Commission	0	1	0	1	0	1	0
Australian Film, Television and Radio School	0	0	0	0	0	0	0
Australian National Maritime Museum	0	0	0	0	0	0	0
Department of Communications, Information Technology and the Arts	1	7	1	8	0.02	8	1
National Archives of Australia	0	0	0	0	0	0	0
National Gallery of Australia	0	5	0	5	0.01	5	0
National Library of Australia	0	1	0	1	0	1	0
National Museum of Australia	0	0	0	0	0	0	0
National Science and Technology ScreenSound Australia, The National Collection of Screen and Sound	0	1	0	1	0	1	0
Special Broadcasting Service	0	0	0	0	0	0	0
Telstra Corporation Limited	11	117	0	117	0.35	117	11
DEFENCE							
Army and Air Force Canteen Service Board T/A Frontline							
Defence Service	0	0	0	0	0	0	0
Australian Defence Force Campaign	0	0	0	0	0	0	0
CSS Board	0	0	0	0	0	0	0
Defence Force Retirement and Death Benefits (DFRDB) Authority	0	139	0	139	0.42	138	1
Defence Housing Authority	0	4	1	5	0.01	5	0
Department of Defence	35	181	4	185	0.55	171	49
Military Superannuation and Benefits Board of Trustees No.1	0	0	0	0	0	0	0
Minister Assisting the Minister for Defence	0	0	0	0	0	0	0
Minister for Defence	0	2	0	2	0.01	2	0
RAAF Veterans' Residences Trust	0	0	0	0	0	0	0
RAAF Welfare Trust Fund	0	0	0	0	0	0	0

Request Numbers

RAN Relief Trust Fund	0	0	0	0	0	0	0
Trustees of the Australian							
Military Forces Relief Trust Fund	0	0	0	0	0	0	0
Trustees of the Australian							
Military Relief Trust Fund	0	0	0	0	0	0	0
Trustees of the Royal Australian							
Navy Relief Trust Fund	0	0	0	0	0	0	0

Request Numbers

AGENCY	On Hand 1st July	Requests Received From Applicant	Requests on Transfer	Total Requests Received	% of Total All Agncs Reqsts Recd	Requests Finalised	On Hand 30th June
EDUCATION, TRAINING AND YOUTH AFFAIRS							
Anglo-Australian Telescope Board	0	0	0	0	0	0	0
Australian Maritime College	0	0	0	0	0	0	0
Australian National Training Authority	0	0	0	0	0	0	0
Australian National University	1	3	0	3	0.01	4	0
Department of Education, Training and Youth Affairs	18	41	12	53	0.16	68	3
EMPLOYMENT, WORKPLACE RELATIONS & SMALL BUSINESS							
Affirmative Action Agency	0	0	0	0	0	0	0
Australian Industrial Relations Commission/Aust'n Industrial Registry	1	1	1	2	0.01	3	0
Comcare	5	14	0	14	0.04	17	2
Defence Force Remuneration Tribunal	0	0	0	0	0	0	0
Department of Employment, Workplace Relations and Small Business	20	73	11	84	0.25	96	8
National Occupational Health and Safety Commission	0	0	0	0	0	0	0
Seafarers Rehabilitation and Compensation Authority	0	0	0	0	0	0	0
ENVIRONMENT AND HERITAGE							
Australian Heritage Commission	0	6	1	7	0.02	6	1
Bureau of Meteorology	0	0	0	0	0	0	0
Department of the Environment and Heritage	11	15	3	18	0.05	23	6
Great Barrier Reef Marine Park Authority	8	12	0	12	0.04	13	7
FAMILY AND COMMUNITY SERVICES							
Australian Institute of Family Studies	0	0	0	0	0	0	0
Centrelink	365	6457	3	6460	19.29	6318	507
Department of Family and Community Services	0	73	11	84	0.25	77	7
Social Security Appeals Tribunal	0	6	1	7	0.02	7	0

Request Numbers

AGENCY	On Hand 1st July	Requests Received From Applicant	Requests on Transfer	Total Requests Received	% of Total All Agncs Reqsts Recd	Requests Finalised	On Hand 30th June
FINANCE AND ADMINISTRATION							
Australian Electoral Commission Commissioner for Superannuation Commonwealth Grants Commission	0	11	0	11	0.03	10	1
Companies and Securities Advisory Committee	0	0	0	0	0	0	0
Department of Finance and Administration	15	29	1	30	0.09	39	6
PSS Board	0	0	0	0	0	0	0
FOREIGN AFFAIRS AND TRADE							
Australia-Japan Foundation Australian Centre for International Agriculture Research	0	0	0	0	0	0	0
Australian Trade Commission (Austrade)	0	5	0	5	0.01	5	0
Department of Foreign Affairs & Trade	6	65	0	65	0.19	59	12
Export Finance and Insurance Corporation	0	0	0	0	0	0	0
Minister for Foreign Affairs	0	0	0	0	0	0	0
Minister for Trade	0	0	0	0	0	0	0
HEALTH AND AGED CARE							
Australian Institute of Health and Welfare	0	0	0	0	0	0	0
Department of Health and Aged Care	156	105	9	114	0.34	78	192
General Practitioners Recognition Appeal Committee	0	0	0	0	0	0	0
General Practitioners Recognition Eligibility Committee	0	0	0	0	0	0	0
Health Insurance Commission Medical (Dental Practitioners) Appeal Committee	1	12	1	13	0.04	14	0
Medical Benefits (Dental Practitioners) Advisory Committee	0	0	0	0	0	0	0
Medicare Benefits Advisory Committee	0	0	0	0	0	0	0
Overseas Specialist Advisory Committees- ACT,NSW,NT,QLD,SA,TAS,VIC, WA	0	0	0	0	0	0	0
Specialist Recognition Appeal Committee	0	0	0	0	0	0	0

Request Numbers

AGENCY	On Hand 1st July	Requests Received From Applicant	Requests on Transfer	Total Requests Received	% of Total All Agncs Reqsts Recd	Requests Finalised	On Hand 30th June
IMMIGRATION AND MULTICULTURAL AFFAIRS							
Department of Immigration and Multicultural Affairs							
	541	7766	47	7813	23.33	7608	746
Refugee Review Tribunal	39	599	383	982	2.93	981	40
INDUSTRY, SCIENCE & RESOURCES							
Anti-Dumping Authority	0	1	0	1	0	1	0
AusIndustry	0	24	0	24	0.07	22	2
Australian Institute of Marine Science	0	0	0	0	0	0	0
Australian Nuclear Science and Technical Organisation	0	6	0	6	0.02	6	0
Australian Sports Drug Agency	0	0	0	0	0	0	0
Australian Tourist Commission	0	0	0	0	0	0	0
CSIRO	2	20	2	22	0.07	22	2
Department of Industry, Science and Resources	9	17	0	17	0.05	17	9
Designs Office	1	15	0	15	0.04	16	0
Minister for Sport and Tourism	0	0	0	0	0	0	0
National Standards Commission	0	0	0	0	0	0	0
Offshore Minerals Joint Authority - All States	0	0	0	0	0	0	0
Patents Office	2	109	0	109	0.33	108	3
Professional Standards Board for Patent & Trade Marks Attorneys	0	0	0	0	0	0	0
Trade Marks Office	21	727	0	727	2.17	725	23
PRIME MINISTER AND CABINET							
Aboriginal and Torres Strait Islander Commission							
	4	23	3	26	0.08	23	7
Australian Institute of Aboriginal and Torres Strait Islander Studies	0	0	0	0	0	0	0
Commonwealth Ombudsman	0	45	1	46	0.14	44	2
Department of the Prime Minister and Cabinet	5	23	3	26	0.08	23	8
Merit Protection and Review Agency	0	1	0	1	0	1	0
Official Secretary to the Governor-General	0	1	1	2	0.01	2	0
Public Service and Merit Protection Commission	0	2	0	2	0.01	1	1

Request Numbers

AGENCY	On Hand 1st July	Requests Received From Applicant	Requests on Transfer	Total Requests Received	% of Total All Agncs Reqsts Recd	Requests Finalised	On Hand 30th June
TRANSPORT AND REGIONAL SERVICES							
Airservices Australia	0	54	2	56	0.17	48	8
Albury-Wodonga Development Corporation	0	0	0	0	0	0	0
Australian Maritime Safety Authority	3	15	0	15	0.04	17	1
Civil Aviation Safety Authority	13	122	2	124	0.37	115	22
Commonwealth Explosives Transport Committee	0	0	0	0	0	0	0
Department of Transport and Regional Services	9	63	11	74	0.22	66	17
National Capital Authority	0	4	0	4	0.01	4	0
TREASURY							
Australian Accounting Standards Board	0	0	0	0	0	0	0
Australian Bureau of Statistics	0	0	0	0	0	0	0
Australian Competition and Consumer Commission	5	19	0	19	0.06	22	2
Australian Competition Tribunal	0	0	0	0	0	0	0
Australian Prudential Regulation Authority	1	26	1	27	0.08	26	2
Australian Securities and Investments Commission	4	47	0	47	0.14	41	10
Australian Statistics Advisory Council	0	0	0	0	0	0	0
Australian Taxation Office	61	450	2	452	1.35	438	75
Department of Treasury	0	31	7	38	0.11	31	7
National Competition Council	0	0	0	0	0	0	0
Productivity Commission	0	2	0	2	0.01	2	0
Reserve Bank of Australia	0	3	0	3	0.01	2	1
Superannuation Complaints Tribunal	0	1	0	1	0	1	0
Tax Agents Board (WA)	0	0	0	0	0	0	0
Tax Agents' Board (SA)	0	0	0	0	0	0	0
Tax Agents' Board (Tas)	0	0	0	0	0	0	0
Tax Agents' Board (Vic)	0	0	0	0	0	0	0
Treasurer's Office	0	0	0	0	0	0	0
VETERANS' AFFAIRS							
Australian War Memorial	0	0	0	0	0	0	0
Department of Veterans' Affairs	669	14714	0	14714	43.94	15004	379
Director of Australian War Graves	0	0	0	0	0	0	0
Minister for Veterans' Affairs	0	0	0	0	0	0	0
Repatriation Commission	0	0	0	0	0	0	0
Veterans' Review Board	0	4	1	5	0.01	5	0
TOTAL	2097	32941	543	33484	100	33343	2238

Action on Requests

AGENCY	Granted in Full	% of Total	Granted in Part	% of Total	Access Refused	% of Total	Transferred in Whole	Withdrawn	Total Determined
COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS									
Australia Council	3	100	0	0	0	0	0	0	3
Australia Post	11	52.4	7	33.3	3	14.29	0	0	21
Australian Broadcasting Authority	1	25	3	75	0	0	0	2	4
Australian Broadcasting Corporation	4	50	4	50	0	0	0	1	8
Australian Communications Authority	0	0	1	100	0	0	0	1	1
Australian Film Commission	1	100	0	0	0	0	0	0	1
Department of Communications, Information Technology and the Arts	0	0	2	50	2	50	0	4	4
National Gallery of Australia	2	50	2	50	0	0	0	1	4
National Library of Australia	1	100	0	0	0	0	0	0	1
ScreenSound Australia, The National Collection of Screen and Sound	1	100	0	0	0	0	0	0	1
Telstra Corporation Limited	42	38.2	31	28.2	37	33.64	1	6	110
DEFENCE									
Defence Force Retirement and Death Benefits (DFRDB) Authority	131	97	0	0	4	2.96	0	3	135
Defence Housing Authority	0	0	5	100	0	0	0	0	5
Department of Defence	86	53.8	52	32.5	22	13.75	0	11	160
Minister for Defence	0	0	0	0	0	0	2	0	0
EDUCATION, TRAINING AND YOUTH AFFAIRS									
Australian National University	3	75	1	25	0	0	0	0	4
Department of Education, Training and Youth Affairs	24	41.4	17	29.3	17	29.31	2	8	58

Action on Requests

AGENCY	Granted in Full	% of Total	Granted in Part	% of Total	Access Refused	% of Total	Transferred in Whole	Withdrawn	Total Determined
EMPLOYMENT, WORKPLACE RELATIONS & SMALL BUSINESS									
Dept of Employment, Workplace Relations & Small Comcare	34	39.1	32	36.8	21	24.14	4	5	87
Australian Industrial Relations Commission	10	62.5	6	37.5	0	0	0	1	16
	0	0	0	0	3	100	0	0	3
ENVIRONMENT AND HERITAGE									
Australian Heritage Department of the Environment and Heritage	5	83.3	1	16.7	0	0	0	0	6
Great Barrier Reef Marine Park Authority	3	23.1	8	61.5	2	15.38	2	8	13
	1	12.5	6	75	1	12.5	0	5	8
FAMILY AND COMMUNITY SERVICES									
Centrelink	3989	65.2	1455	23.8	671	10.97	7	196	6115
Department of Family and Community Services	44	62.9	20	28.6	6	8.57	1	6	70
Social Security Appeals Tribunal	4	80	0	0	1	20	2	0	5
FINANCE AND ADMINISTRATION									
Australian Electoral Commissioner for Superannuation	5	50	4	40	1	10	0	0	10
Department of Finance and Administration	162	99.4	0	0	1	0.61	0	1	163
	3	15.8	9	47.4	7	36.84	0	20	19

Action on Requests

AGENCY	Granted in Full	% of Total	Granted in Part	% of Total	Access Refused	% of Total	Transferred in Whole	Withdrawn	Total Determined
FOREIGN AFFAIRS AND TRADE									
Australian Trade Commission (Austrade)	3	60	1	20	1	20	0	0	5
Department of Foreign Affairs & Trade	9	17.3	38	73.1	5	9.62	1	6	52
HEALTH AND AGED									
Department of Health and Aged Care	35	59.3	9	15.3	15	25.42	0	19	59
Health Insurance Commission	1	7.69	9	69.2	3	23.08	0	1	13
IMMIGRATION AND MULTICULTURAL									
Department of Immigration and Multicultural Affairs	4469	62.4	2264	31.6	434	6.06	129	312	7167
Refugee Review Tribunal	503	72.3	186	26.7	7	1.01	269	16	696
INDUSTRY, SCIENCE AND RESOURCES									
Anti-Dumping Authority	1	100	0	0	0	0	0	0	1
AusIndustry	20	100	0	0	0	0	0	2	20
Australian Nuclear Science and Technical Organisation	2	40	2	40	1	20	0	1	5
CSIRO	8	47.1	6	35.3	3	17.65	0	5	17
Department of Industry, Science and Resources	0	0	7	70	3	30	0	7	10
Designs Office	16	100	0	0	0	0	0	0	16
Patents Office	90	90	7	7	3	3	0	8	100
Trade Marks Office	507	70.4	213	29.6	0	0	0	5	720
PRIME MINISTER AND CABINET									
Aboriginal and Torres Strait Islander Commission	8	42.1	8	42.1	3	15.79	1	3	19

Action on Requests

AGENCY	Granted in Full	% of Total	Granted in Part	% of Total	Access Refused	% of Total	Transferred in Whole	Withdrawn	Total Determined
Commonwealth Ombudsman	22	55	15	37.5	3	7.5	4	0	40
Department of the Prime Minister and Cabinet	1	8.33	4	33.3	7	58.33	2	9	12
Merit Protection and Review Agency	0	0	0	0	1	100	0	0	1
Official Secretary to the Governor-General	0	0	0	0	1	100	1	0	1
Public Service and Merit Protection Commission	0	0	0	0	0	0	1	0	0
TRANSPORT AND REGIONAL SERVICES									
Airservices Australia	23	67.7	11	32.4	0	0	2	12	34
Australian Maritime Safety Authority	14	93.3	1	6.67	0	0	0	2	15
Civil Aviation Safety Authority	48	54.6	29	33	11	12.5	1	26	88
Department of Transport and Regional Services	7	12.3	46	80.7	4	7.02	1	8	57
National Capital Authority	4	100	0	0	0	0	0	0	4
TREASURY									
Australian Competition and Consumer Commission	0	0	17	85	3	15	0	2	20
Australian Prudential Regulation Authority	16	88.9	1	5.56	1	5.56	1	7	18
Australian Securities and Investments Commission	13	34.2	15	39.5	10	26.32	0	3	38
Australian Taxation Office	78	21.4	242	66.3	45	12.33	7	66	365
Department of Treasury	10	40	11	44	4	16	1	5	25
Productivity Commission	2	100	0	0	0	0	0	0	2
Reserve Bank of Australia	2	100	0	0	0	0	0	0	2
Superannuation Complaints Tribunal	0	0	0	0	1	100	0	0	1
VETERANS' AFFAIRS									
Department of Veterans' Affairs	14495	99.7	21	0.14	27	0.19	1	460	14543
Veterans' Review Board	5	100	0	0	0	0	0	0	5
TOTAL	25086	100	4971	100	1478	100	462	1346	31535

Response Time

Appendix C: Response Time

AGENCY	Requests Determined	0-30 Days	31-60 Days	61-90 Days	Over 90 Days
AGRICULTURE, FISHERIES AND FORESTRY AUSTRALIA					
Australian Fisheries Management Authority	8	7	1	0	0
Australian Wheat Board	2	2	0	0	0
Australian Wine and Brandy Corporation	2	2	0	0	0
Department of Agriculture, Fisheries and Forestry Australia	22	11	9	1	1
National Registration Authority for Agricultural & Veterinary Chemical	1	0	1	0	0
Snowy Mountains Hydro-Electric Authority	1	1	0	0	0
ATTORNEY-GENERAL'S					
Administrative Appeals Tribunal	6	6	0	0	0
Attorney-General's Department	42	18	13	10	1
Australian Customs Service	51	34	12	2	3
Australian Federal Police	137	121	16	0	0
Australian Protective Service	2	2	0	0	0
Australian Transaction Reports and Analysis Centre (AUSTRAC)	13	13	0	0	0
Commonwealth Director of Public Prosecutions	9	6	1	1	1
Family Court of Australia	9	4	3	1	1
High Court of Australia	1	1	0	0	0
Human Rights and Equal Opportunity Commission	23	12	5	3	3
COMMUNICATIONS, INFORMATION TECHNOLOGY					
Australia Council	3	2	1	0	0
Australia Post	21	18	3	0	0
Australian Broadcasting Authority	4	0	4	0	0
Australian Broadcasting Corporation	8	7	1	0	0
Australian Communications Authority	1	0	0	1	0
Australian Film Commission	1	0	1	0	0
Department of Communications, Information Technology and the Arts	4	1	2	0	1
National Gallery of Australia	4	1	2	0	1
National Library of Australia	1	1	0	0	0
ScreenSound Australia, The National Collection of Screen and Sound	1	1	0	0	0
Telstra Corporation Limited	110	75	30	4	1
DEFENCE					
Defence Force Retirement and Death Benefits (DFRDB) Authority	135	134	0	0	1
Defence Housing Authority	5	1	4	0	0
Department of Defence	160	82	35	20	23

Response Time

AGENCY	Requests Determined	0-30 Days	31-60 Days	61-90 Days	Over 90 Days
EDUCATION, TRAINING AND YOUTH AFFAIRS					
Australian National University	4	2	1	1	0
Department of Education, Training and Youth Affairs	58	41	12	4	1
EMPLOYMENT, WORKPLACE RELATIONS AND SMALL					
Australian Industrial Relations Commission/Aust'n Industrial Registry	3	0	3	0	0
Comcare	16	7	7	2	0
Department of Employment, Workplace Relations and Small Business	87	60	14	6	7
ENVIRONMENT AND HERITAGE					
Australian Heritage Commission	6	5	0	0	1
Department of the Environment and Heritage	13	2	7	2	2
Great Barrier Reef Marine Park Authority	8	0	1	1	6
FAMILY AND COMMUNITY					
Centrelink	6115	4656	1043	306	110
Department of Family and Community Services	70	52	6	6	6
Social Security Appeals Tribunal	5	5	0	0	0
FINANCE AND ADMINISTRATION					
Australian Electoral Commission	10	2	6	2	0
Commissioner for Superannuation	163	163	0	0	0
Department of Finance and	19	7	2	6	4
FOREIGN AFFAIRS AND TRADE					
Australian Trade Commission (Austrade)	5	4	0	1	0
Department of Foreign Affairs & Trade	52	23	22	5	2
HEALTH AND AGED CARE					
Department of Health and Aged Care	59	38	8	2	11
Health Insurance Commission	13	4	6	2	1
IMMIGRATION AND MULTICULTURAL AFFAIRS					
Department of Immigration and Multicultural Affairs	7167	4464	1660	516	527
Refugee Review Tribunal	696	580	74	29	13

Response Time

AGENCY	Requests Determined	0-30 Days	31-60 Days	61-90 Days	Over 90 Days
INDUSTRY, SCIENCE &					
Anti-Dumping Authority	1	1	0	0	0
AusIndustry	20	8	4	8	0
Australian Nuclear Science and Technical Organisation	5	3	2	0	0
Department of Industry, Science and Resources	10	5	3	0	2
Designs Office	16	16	0	0	0
Patents Office	100	97	3	0	0
Trade Marks Office	720	707	13	0	0
PRIME MINISTER AND CABINET					
Aboriginal and Torres Strait Islander Commission	19	6	8	4	1
Commonwealth Ombudsman	40	28	10	2	0
Department of the Prime Minister and Cabinet	12	5	7	0	0
Merit Protection and Review Agency	1	1	0	0	0
Official Secretary to the Governor-	1	0	1	0	0
TRANSPORT AND REGIONAL SERVICES					
Airservices Australia	34	34	0	0	0
Australian Maritime Safety Authority	15	7	6	2	0
Civil Aviation Safety Authority	88	25	31	17	15
Department of Transport and Regional Services	57	21	23	8	5
National Capital Authority	4	2	2	0	0
TREASURY					
Australian Competition and Consumer Commission	20	1	6	8	5
Australian Prudential Regulation Authority	18	15	3	0	0
Australian Securities and Investments Commission	38	36	2	0	0
Australian Taxation Office	365	243	95	11	16
Department of Treasury	25	17	4	4	0
Productivity Commission	2	2	0	0	0
Reserve Bank of Australia	2	2	0	0	0
Superannuation Complaints Tribunal	1	0	1	0	0
VETERANS' AFFAIRS					
Department of Veterans' Affairs	14543	12206	1945	261	131
Veterans' Review Board	5	5	0	0	0
TOTAL	31535	24184	5186	1261	904

Fees and Charges Notified and Collected

Appendix D: Fees and Charges notified and collected

AGENCY	Requests Received	Requests Where Charges Notified	Total Charges Notified \$	Total Charges Collected \$	Fees Collected Initial Processing \$	Internal Review \$	Total Fees Collected \$
AGRICULTURE, FISHERIES AND FORESTRY AUSTRALIA							
Australian Fisheries Management Authority	15	6	3078	2440	480	0	480
Australian Wheat Board	2	0	0	0	30	0	30
Australian Wine and Brandy Corporation	2	0	0	0	0	0	0
Department of Agriculture, Fisheries and Forestry Australia	25	13	4265	3338	870	120	990
National Registration Authority for Agricultural & Veterinary Chemical	6	6	11512	1004	180	40	220
Snowy Mountains Hydro-Electric Authority	1	0	0	0	0	0	0
ATTORNEY-GENERAL'S							
Administrative Appeals Tribunal	7	0	0	0	0	0	0
Attorney-General's Department	97	14	9209	3685	870	360	1230
Australian Customs Service	58	18	2291	2291	1530	160	1690
Australian Federal Police	159	34	2013	2013	2290	340	2630
Australian Law Reform Commission	1	1	330	0	30	0	30
Australian Protective Service	2	0	0	0	0	0	0
Australian Transaction Reports and Analysis Centre (AUSTRAC)	13	0	300	300	390	0	390
Commonwealth Director of Public Prosecutions	8	3	650	0	120	60	180
Family Court of Australia	9	2	326	326	150	80	230
High Court of Australia	1	0	0	0	30	0	30
Human Rights and Equal Opportunity Commission	26	1	120	120	270	40	310
Office of Film and Literature Classification	1	0	0	0	0	0	0
COMMUNICATIONS, INFORMATION TECHNOLOGY AND							
Australia Council	2	0	0	0	90	0	90
Australia Post	18	7	220	0	330	40	370
Australian Broadcasting Authority	9	9	3191	1509	270	60	330
Australian Broadcasting Corporation	9	2	270	270	180	80	260
Australian Communications Authority	2	2	870	345	60	0	60
Australian Film Commission	1	0	0	0	30	0	30
Department of Communications, Information Technology and the Arts	8	2	3698	0	210	40	250
National Archives of Australia	0	0	0	0	0	0	0
National Gallery of Australia	5	1	50	50	120	40	160
National Library of Australia	1	0	0	0	0	0	0
ScreenSound Australia, The National Collection of Screen and Sound	1	0	0	0	0	0	0
Telstra Corporation Limited	117	0	0	0	1660	80	1740

Fees and Charges Notified and Collected

AGENCY	Requests Received	Requests Where Charges Notified	Total Charges Notified \$	Total Charges Collected \$	Fees Collected Initial Processing \$	Internal Review \$	Total Fees Collected \$
DEFENCE							
Defence Force Retirement and Death Benefits (DFRDB) Authority							
	139	1	45	0	45	0	45
Defence Housing Authority							
	5	2	1850	854	90	40	130
Department of Defence							
	185	20	10532	3082	2340	320	2660
Minister for Defence							
	2	0	0	0	0	0	0
EDUCATION, TRAINING AND YOUTH AFFAIRS							
Australian National University							
	3	0	0	0	60	0	60
Department of Education, Training and Youth Affairs							
	53	6	534	534	270	40	310
EMPLOYMENT, WORKPLACE RELATIONS AND SMALL BUSINESS							
Australian Industrial Relations Commission/Aust'n Industrial Registry							
	2	0	0	0	0	0	0
Comcare							
	14	0	0	0	150	0	150
Department of Employment, Workplace Relations and Small Business							
	84	4	629	353	480	40	520
ENVIRONMENT AND HERITAGE							
Australian Heritage Commission							
	7	1	270	0	180	0	180
Department of the Environment and Great Barrier Reef Marine Park Authority							
	18	15	5843	986	450	80	530
	12	8	1659	769	360	80	440
FAMILY AND COMMUNITY							
Centrelink							
	6460	2	109	155	651	0	651
Department of Family and Community Services							
	84	3	3434	0	300	40	340
Social Security Appeals Tribunal							
	7	0	0	0	0	0	0
FINANCE AND ADMINISTRATION							
Australian Electoral Commission							
	11	1	125	0	210	0	210
Commissioner for Superannuation							
	165	0	0	0	0	0	0
Department of Finance and Administration							
	30	21	23336	1796	840	160	1000

Fees and Charges Notified and Collected

AGENCY	Requests Received	Requests Where Charges Notified	Total Charges Notified \$	Total Charges Collected \$	Fees Collected Initial Processing \$	Internal Review \$	Total Fees Collected \$
FOREIGN AFFAIRS AND TRADE							
Australian Trade Commission (Austrade)	5	0	0	0	150	0	150
Department of Foreign Affairs & Trade	65	14	3733	2304	420	40	460
HEALTH AND AGED CARE							
Department of Health and Aged Care	114	5	1651	308	1980	40	2020
Health Insurance Commission	13	2	417	0	330	40	370
IMMIGRATION AND MULTICULTURAL AFFAIRS							
Department of Immigration and Multicultural Affairs	7813	25	1245	402	198810	1760	200570
Refugee Review Tribunal	982	1	198	348	60	240	300
INDUSTRY, SCIENCE AND							
Anti-Dumping Authority	1	2	50	0	50	0	50
AusIndustry	24	24	2803	2803	480	160	640
Australian Nuclear Science and Technical Organisation	6	0	0	0	90	0	90
CSIRO	22	2	8691	8309	270	0	270
Department of Industry, Science and Resources	17	14	28566	9274	360	0	360
Designs Office	15	15	452	452	480	0	480
Patents Office	109	100	3153	3153	3000	0	3000
Trade Marks Office	727	721	32373	32373	21660	120	21780
PRIME MINISTER AND CABINET							
Aboriginal and Torres Strait Islander Commission	26	8	3036	3036	630	0	630
Commonwealth Ombudsman	46	0	0	0	120	0	120
Department of the Prime Minister and Cabinet	26	7	4777	713	520	40	560
Merit Protection and Review Agency	1	0	0	0	30	0	30
Official Secretary to the Governor-General	2	0	0	0	30	0	30
Public Service and Merit Protection Commission	2	0	0	0	30	0	30

Fees and Charges Notified and Collected

AGENCY	Requests Received	Requests Where Charges Notified	Total Charges Notified \$	Total Charges Collected \$	Fees Collected Initial Processing \$	Internal Review \$	Total Fees Collected \$
TRANSPORT AND REGIONAL SERVICES							
Airservices Australia	56	11	10774	1818	270	0	270
Albury-Wodonga Development Corporation	0	0	0	0	0	0	0
Civil Aviation Safety Authority	124	42	3213	478	3180	240	3420
Department of Transport and Regional Services	74	56	7448	4473	1740	160	1900
National Capital Authority	4	0	0	0	0	0	0
Australian Maritime Safety Authority	15	12	2022	1524	390	0	390
TREASURY							
Australian Competition and Consumer Commission	19	14	44102	24921	570	240	810
Australian Prudential Regulation Authority	27	26	8071	6153	750	0	750
Australian Securities and Investments Commission	47	18	1668	1455	1320	320	1640
Australian Taxation Office	452	179	40809	36233	8390	680	9070
Department of Treasury	38	15	3451	2190	660	120	780
Productivity Commission	2	0	0	0	60	0	60
Reserve Bank of Australia	3	1	5178	0	30	0	30
Superannuation Complaints Tribunal	1	0	0	0	30	0	30
VETERANS' AFFAIRS							
Department of Veterans' Affairs	14714	2	49	49	7520	0	7520
Veterans' Review Board	5	0	0	0	0	0	0
TOTAL	33484	1521	308689	168989	271026	6540	277566

Internal Review - Application and Results

Appendix E: Internal Review - Application and Results

AGENCY	Applications	% of Total Applications	Decisions Affirmed	Access Granted in Full	Partial Access Granted	Access Granted After Deferment	Access Granted In Another Form	Charges Reduced	Withdrawn Without Concession
Airservices Australia	3	0.78	2	0	0	0	0	1	0
Attorney-General's Department	11	2.87	2	0	5	0	0	0	1
AusIndustry	4	1.04	4	2	0	0	0	0	1
Australia Post	1	0.26	2	0	0	0	0	0	0
Australian Broadcasting Corporation	3	0.78	3	0	0	0	0	0	0
Australian Competition and Consumer Commission	6	1.57	1	0	4	0	0	0	0
Australian Customs Service	5	1.31	1	1	2	0	0	0	0
Australian Federal Police	17	4.44	5	2	5	0	0	0	0
Australian Prudential Regulation Authority	1	0.26	1	0	0	0	0	0	0
Australian Securities and Investments Commission	8	2.09	6	1	0	0	0	0	0
Australian Taxation Office	75	19.6	6	2	7	0	0	0	0
Centrelink	121	31.6	87	10	16	0	0	0	4
Civil Aviation Safety Authority	10	2.61	4	2	2	0	0	1	0
Commonwealth Ombudsman	2	0.52	0	0	2	0	0	0	0
Defence Housing Authority	1	0.26	0	0	0	0	0	0	0
Department of Agriculture, Fisheries and Forestry Australia	3	0.78	2	0	1	0	0	0	0
Department of Defence	11	2.87	5	0	3	0	0	0	3
Department of Education, Training and Youth Affairs	4	1.04	4	0	1	0	0	0	1
Department of Employment, Workplace Relations and Small Business	3	0.78	3	0	0	0	0	1	0
Department of Family and Community Services	1	0.26	2	0	1	0	0	0	0
Department of Finance and Administration	4	1.04	4	0	0	0	0	0	0
Department of Foreign Affairs & Trade	2	0.52	1	0	0	0	0	1	0
Department of Health and Aged Care	1	0.26	1	0	0	0	0	0	0
Department of Immigration and Multicultural Affairs	46	12	0	0	0	0	0	0	0
Department of Industry, Science and Resources	2	0.52	1	0	0	0	0	0	0
Department of the Environment and Heritage	2	0.52	1	0	1	0	0	0	0
Department of the Prime Minister and Cabinet	2	0.52	2	0	0	0	0	0	0

Internal Review - Application and Results

AGENCY	Applications	% of Total Applications	Decisions Affirmed	Access Granted in Full	Partial Access Granted	Access Granted After Deferment	Access Granted In Another Form	Charges Reduced	Withdrawn Without Concession
Department of Transport and Regional Services	3	0.78	2	1	1	0		0	0
Department of Treasury	4	1.04	3	0	1	0	0	0	0
Family Court of Australia	3	0.78	2	1	0	0	0	0	0
Great Barrier Reef Marine Park Authority	2	0.52	2	0	0	0	0	0	0
Health Insurance Commission	1	0.26	0	0	1	0	0	0	0
Human Rights and Equal Opportunity Commission	2	0.52	1	0	0	0	0	0	0
National Gallery of Australia	1	0.26	1	0	0	0	0	0	0
National Native Title Tribunal	0	0	1	0	0	0	0	0	0
National Registration Authority for Agricultural & Veterinary	1	0.26	1	0	0	0	0	0	0
Refugee Review Tribunal	4	1.04	2	1	1	0	0	0	0
Social Security Appeals Tribunal	1	0.26	1	0	0	0	0	0	0
Superannuation Complaints Tribunal	1	0.26	1	0	0	0	0	0	0
Telstra Corporation Limited	8	2.09	7	0	1	0	0	0	0
Trade Marks Office	3	0.78	3	0	0	0	0	0	0
TOTAL	383	100	177	23	55	0	0	4	10

AAT Review - Application and Results

Appendix F: AAT Review - Application and Results

AGENCY	Applications	% of Total Applications	Decisions Affirmed	Access Granted in Full	Partial Access Granted	Access Granted after Deferment	Access Granted In Another Form	Charges Reduced
Attorney-General's Department	4	6.56	0	0	0	0	0	0
Australian Competition and Consumer Commission	1	1.64	0	0	0	0	0	0
Australian Customs Service	2	3.28	0	0	0	0	0	0
Australian Federal Police	4	6.56	3	0	0	0	0	0
Australian Securities and Investments Commission	2	3.28	0	0	0	0	0	0
Australian Taxation Office	14	22.95	4	0	6	0	0	0
Civil Aviation Safety Authority	2	3.28	0	0	0	0	0	0
Commonwealth Director of Public Prosecutions	1	1.64	1	0	0	0	0	0
Department of Agriculture, Fisheries and Forestry Australia	1	1.64	1	0	0	0	0	0
Department of Defence	9	14.75	1	0	0	0	0	0
Department of Education, Training and Youth Affairs	1	1.64	2	1	1	0	0	0
Department of Employment, Workplace Relations and Small Business	2	3.28	0	0	0	0	0	0
Department of Foreign Affairs & Trade	1	1.64	0	0	0	0	0	0
Department of Immigration and Multicultural Affairs	10	16.39	1	0	0	0	0	0
Department of Industry, Science and Resources	1	1.64	0	0	0	0	0	0
Department of Treasury	1	1.64	0	0	0	0	0	0
Department of Veterans' Affairs	1	1.64	0	0	0	0	0	0
Family Court of Australia	1	1.64	0	0	0	0	0	0
Health Insurance Commission	1	1.64	0	1	0	0	0	0
Human Rights and Equal Opportunity Commission	1	1.64	1	0	1	0	0	0
Telstra Corporation Limited	0	0	0	0	1	0	0	0
Trade Marks Office	1	1.64	0	0	0	0	0	0
TOTAL	61	100	14	2	9	0	0	0

AAT Review - Applications

Appendix G: AAT Review - Applications*

AGENCY	Total Application s	% of Applications
Department of Family & Community Services	31	22.14
Commissioner of Taxation	14	10.00
Department of Immigration & Multicultural Affairs	12	8.57
Australian Federal Police	9	6.42
Department of Defence	6	4.28
Australian Government Solicitor	5	3.57
Department of Veterans' Affairs	5	3.57
Department of Communications, Information Technology & the Art	4	2.85
Comcare	3	2.14
Department of Health & Aged Care	3	2.14
Health Insurance Commission	3	2.14
ATSIC	2	1.42
Australian Postal Corporation	2	1.42
Civil Aviation Safety Authority	2	1.42
Commissioner of Customs	2	1.42
Commonwealth Ombudsman	2	1.42
Department of Employment, Workplace Relations & Small Busine	2	1.42
Department of Foreign Affairs & Trade	2	1.42
Inspector-General in Bankruptcy	2	1.42
Medicare Participation Review Board	2	1.42
Registrar of Aboriginal Corporations	2	1.42
Attorney-General	1	0.70
AusIndustry	1	0.70
Australian Competition & Consumer Commission	1	0.70
Australian National University	1	0.70
Australian Securities & Investments Commission	1	0.70
Carnarvon Aboriginal Medical	1	0.70
Carnarvon Medical Services	1	0.70
Centrelink	1	0.70
Child Support Registrar	1	0.70
Commissioner of Patents	1	0.70
Commonwealth Director of Public Prosecutions	1	0.70
Comsuper	1	0.70
CSIRO	1	0.70
Department of Agriculture Fisheries & Forestry	1	0.70
Department of Education, Training & Youth Affairs	1	0.70
Department of Industry Science & Resources	1	0.70
Department of the Prime Minister & Cabinet	1	0.70
Department of Treasury	1	0.70
Family Court of Australia	1	0.70
Human Rights & Equal Opportunity Commission	1	0.70
Insolvency & Trustee Service Australia	1	0.70
Migration Agents Review Board	1	0.70
Refugee Review Tribunal	1	0.70
Social Security Appeals Tribunal	1	0.70
Telstra	1	0.70
TOTAL	140	100

* Information supplied by the Administrative Appeals Tribunal

Amendment of Personal Records - Primary Request Result

Appendix H: Amendment of personal records - Primary Request Result

AGENCY	S.48 Requests	Primary Requests Granted - Alter	Primary Request s Granted - Notate	Primary Requests Granted - Alter & Notate	Primary Requests Refused
Administrative Appeals Tribunal	1	0	0	0	0
Attorney-General's Department	1	0	1	0	0
Australian Federal Police	3	2	1	0	0
Australian National University	0	0	2	0	1
Australian Taxation Office	1	0	0	0	1
Centrelink	46	2	2	0	8
Department of Defence	11	9	2	0	1
Department of Employment, Workplace Relations and Small Business	1	0	1	0	0
Department of Family and Community Services	1	0	0	0	0
Department of Immigration and Multicultural Affairs	190	65	7	17	92
Department of Veterans' Affairs	5	0	1	2	1
Human Rights and Equal Opportunity Commission	1	0	1	0	0
Social Security Appeals Tribunal	2	0	2	0	0
TOTAL	263	78	20	19	104

Note: The number of requests determined - 221- does not correlate with requests made - 263. This is presumably due to requests made but not finalised and/or to reporting difficulties.

Amendment of Personal Records - Internal Review Result

Appendix I: Amendment of personal records - Internal Review Result

AGENCY	S.48 Requests	Internal Review Requests	Granted - Alter	Granted - Notate	Granted - Alter & Notate	Total Granted	Refused
Administrative Appeals Tribunal	1	0	0	0	0	0	0
Attorney-General's Department	1	0	0	0	0	0	0
Australian Federal Police	3	1	0	0	0	0	0
Australian National University	0	1	0	0	0	0	0
Australian Taxation Office	1	0	0	0	0	0	0
Centrelink	46	5	0	0	0	0	4
Department of Defence	11	0	0	0	0	0	0
Department of Employment, Workplace Relations and Small Business	1	0	0	0	0	0	0
Department of Family and Community Services	1	0	0	0	0	0	0
Department of Immigration and Multicultural Affairs	190	8	1	0	0	1	3
Department of Veterans' Affairs Human Rights and Equal Opportunity Commission	5	2	1	0	0	1	1
Social Security Appeals Tribunal	1	0	0	0	0	0	0
	2	0	0	0	0	0	0
TOTAL	263	17	2	0	0	2	8

Amendment of Personal Records - AAT Review Result

Appendix J: Amendment of personal records - AAT Review Result

AGENCY	S.48 Requests	AAT Reviews	Granted - Alter	Granted - Notate	Granted - Alter & Notate	Total Granted	Refused
Administrative Appeals Tribunal	1	0	0	0	0	0	0
Attorney-General's Department	1	0	0	0	0	0	0
Australian Federal Police	3	0	0	0	0	0	0
Australian Taxation Office	1	0	0	0	0	0	0
Centrelink	46	1	0	0	0	0	0
Department of Defence	11	0	0	0	0	0	0
Department of Employment, Workplace Relations and Small Business	1	0	0	0	0	0	0
Department of Family and Community Services	1	0	0	0	0	0	0
Department of Immigration and Multicultural Affairs	190	3	0	0	0	0	1
Department of Veterans' Affairs	5	3	0	1	0	1	0
Human Rights and Equal Opportunity Commission	1	0	0	0	0	0	0
Social Security Appeals Tribunal	2	0	0	0	0	0	0
TOTAL	263	7	0	1	0	1	1

Summary of all Costs of FOI Reported by Agencies

Appendix K: Summary of all costs of FOI reported by agencies

AGENCY	Requests Received	Staff-Years	Salary Costs (Inc. 60%)	Non-Labour Costs	Average Staff Days Per Request	Average Cost per Request	TOTAL COSTS
Australian Taxation Office	452	24.47	\$1,771,459	\$366,370	14.40	\$4,730	\$2,137,829
Department of Immigration and Multicultural Affairs	7813	25.48	\$1,755,453	\$176,730	0.87	\$247	\$1,932,183
Centrelink	6460	20.97	\$1,425,051	\$117,891	0.86	\$239	\$1,542,942
Department of Veterans' Affairs	14714	13.55	\$917,603	\$128,361	0.24	\$71	\$1,045,964
Australian Securities and Investments Commission	47	8.07	\$766,671	\$6,200	45.67	\$16,444	\$772,871
Department of Defence	185	7.93	\$550,510	\$85,010	11.40	\$3,435	\$635,520
Department of Family and Community Services	84	5.83	\$509,987	\$5,805	18.46	\$6,140	\$515,792
Australian Federal Police	159	4.50	\$368,061	\$42,200	7.53	\$2,580	\$410,261
Telstra Corporation Limited	117	3.70	\$307,592	\$32,559	8.41	\$2,907	\$340,151
Department of Employment, Workplace Relations and Small Business	84	2.07	\$149,106	\$180,762	6.56	\$3,927	\$329,868
Department of Foreign Affairs & Trade	65	3.91	\$309,608	\$6,512	16.00	\$4,863	\$316,120
Australian Nuclear Science and Technical Organisation	6	2.00	\$215,326	\$1,300	88.67	\$36,104	\$216,626
Department of Communications, Information Technology and the Arts	8	2.82	\$197,069	\$4,400	93.77	\$25,184	\$201,469
AusIndustry	24	1.80	\$145,060	\$46,663	19.95	\$7,988	\$191,723
Attorney-General's Department	97	1.63	\$170,753	\$20,066	4.47	\$1,967	\$190,819
Department of Industry, Science and Resources	17	2.10	\$155,454	\$17,500	32.86	\$10,174	\$172,954
Department of Transport and Regional Services	74	2.11	\$147,992	\$18,632	7.58	\$2,252	\$166,624
Australian Electoral Commission	11	2.10	\$165,052	\$850	50.78	\$15,082	\$165,902
Department of Finance and Administration	30	1.45	\$110,962	\$54,600	12.86	\$5,519	\$165,562
Department of Education, Training and Youth Affairs	53	2.15	\$157,087	\$8,005	10.79	\$3,115	\$165,092
Australian Competition and Consumer Commission	19	2.25	\$155,544	\$1,830	31.50	\$8,283	\$157,374
Department of Health and Aged Care	114	1.61	\$113,087	\$22,899	3.76	\$1,193	\$135,986

Summary of all Costs of FOI Reported by Agencies

AGENCY	Requests Received	Staff-Years	Salary Costs (Inc. 60%)	Non-Labour Costs	Average Staff Days Per Request	Average Cost per Request	TOTAL COSTS
Department of the Environment and Heritage	18	1.42	\$108,421	\$2,093	20.98	\$6,140	\$110,514
Airservices Australia	56	1.30	\$90,659	\$15,464	6.17	\$1,895	\$106,123
Aboriginal and Torres Strait Islander Commission	26	0.91	\$64,031	\$39,955	9.31	\$3,999	\$103,986
Australian Customs Service	58	1.37	\$100,267	\$2,213	6.28	\$1,767	\$102,480
CSIRO	22	1.18	\$81,422	\$18,907	14.27	\$4,560	\$100,329
Refugee Review Tribunal	982	1.18	\$78,995	\$12,983	0.32	\$94	\$91,978
Health Insurance Commission	14	1.00	\$68,202	\$14,470	19.00	\$5,905	\$82,672
Commonwealth Ombudsman	46	0.68	\$52,446	\$4,578	3.93	\$1,240	\$57,024
Trade Marks Office	727	0.51	\$35,995	\$8,663	0.19	\$61	\$44,658
Commissioner for Superannuation	165	0.50	\$34,101	\$1,343	0.81	\$215	\$35,444
Department of the Prime Minister and Cabinet	26	0.35	\$31,530	\$1,170	3.58	\$1,258	\$32,700
Reserve Bank of Australia	3	0.24	\$27,575	\$2,838	21.28	\$10,138	\$30,413
Australia Post	18	0.38	\$25,546	\$1,313	5.62	\$1,492	\$26,859
Department of Treasury	38	0.19	\$16,628	\$4,546	1.33	\$557	\$21,174
Civil Aviation Safety Authority	124	0.08	\$5,333	\$15,384	0.17	\$167	\$20,717
Australian Broadcasting Authority	9	0.27	\$18,572	\$970	7.98	\$2,171	\$19,542
Australian Fisheries Management Authority	15	0.23	\$15,316	\$2,650	4.08	\$1,198	\$17,966
Comcare	14	0.16	\$12,477	\$0	3.04	\$891	\$12,477
Australian Prudential Regulation Authority	27	0.10	\$8,322	\$3,528	0.99	\$439	\$11,850
Great Barrier Reef Marine Park Authority	12	0.14	\$10,369	\$385	3.10	\$896	\$10,754
National Capital Authority	4	0.14	\$10,214	\$343	9.31	\$2,639	\$10,557
Human Rights and Equal Opportunity Commission	26	0.11	\$7,657	\$907	1.13	\$329	\$8,564
Australian Broadcasting Corporation	9	0.08	\$5,998	\$1,140	2.36	\$793	\$7,138
Australian Trade Commission (Austrade)	5	0.10	\$6,820	\$37	5.32	\$1,371	\$6,857
National Gallery of Australia	4	0.06	\$5,594	\$1,001	3.99	\$1,649	\$6,595
Public Service and Merit Protection Commission	2	0.09	\$6,417	\$25	11.97	\$3,221	\$6,442
Productivity Commission	2	0.06	\$5,439	\$250	7.98	\$2,844	\$5,689
Department of Agriculture, Fisheries and Forestry							
Australia	25	0.05	\$4,633	\$610	0.53	\$210	\$5,243

Summary of all Costs of FOI Reported by Agencies

AGENCY	Requests Received	Staff-Years	Salary Costs (Inc. 60%)	Non-Labour Costs	Average Staff Days Per Request	Average Cost per Request	TOTAL COSTS
National Registration Authority for Agricultural & Veterinary Chemical	6	0.04	\$2,604	\$2,570	1.77	\$862	\$5,174
Australian National University	3	0.06	\$4,758	\$42	5.32	\$1,600	\$4,800
Albury-Wodonga Development Corporation	0	0.06	\$3,721	\$658	0.00	\$0	\$4,379
Defence Force Retirement and Death Benefits (DFRDB) Authority	139	0.04	\$2,728	\$1,131	0.08	\$28	\$3,859
Patents Office	109	0.05	\$3,194	\$518	0.12	\$34	\$3,712
Family Court of Australia	9	0.05	\$3,410	\$98	1.48	\$390	\$3,508
National Occupational Health and Safety Commission	0	0.03	\$2,835	\$350	0.00	\$0	\$3,185
Special Broadcasting Service	0	0.03	\$2,712	\$70	0.00	\$0	\$2,782
National Library of Australia	1	0.03	\$2,712	\$0	7.98	\$2,712	\$2,712
Australian Heritage Commission	7	0.03	\$2,325	\$225	1.14	\$364	\$2,550
Official Secretary to the Governor-General	2	0.03	\$2,325	\$6	3.99	\$1,165	\$2,331
Australian Law Reform Commission	1	0.02	\$2,153	\$33	5.32	\$2,186	\$2,186
Snowy Mountains Hydro-Electric Authority	1	0.02	\$2,153	\$0	5.32	\$2,153	\$2,153
High Court of Australia	1	0.02	\$1,643	\$25	5.32	\$1,668	\$1,668
Australian Communications Authority	2	0.02	\$1,240	\$345	2.66	\$793	\$1,585
Sugar Research & Development Corporation	0	0.01	\$1,471	\$5	0.00	\$0	\$1,476
Veterans' Review Board	5	0.02	\$1,364	\$35	1.06	\$280	\$1,399
Australia Council	2	0.02	\$1,364	\$22	2.66	\$693	\$1,386
Australian Maritime Safety Authority	15	0.01	\$961	\$395	0.18	\$90	\$1,356
Australian Wine and Brandy Corporation	2	0.02	\$1,240	\$7	2.66	\$624	\$1,247
Administrative Appeals Tribunal	7	0.01	\$682	\$493	0.38	\$168	\$1,175
Superannuation Complaints Tribunal	1	0.01	\$682	\$440	2.66	\$1,122	\$1,122
Australian Institute of Health and Welfare	0	0.01	\$682	\$300	0.00	\$0	\$982
Merit Protection and Review Agency	1	0.01	\$682	\$110	2.66	\$792	\$792

Summary of all Costs of FOI Reported by Agencies

AGENCY	Requests Received	Staff-Years	Salary Costs (Inc. 60%)	Non-Labour Costs	Average Staff Days Per Request	Average Cost per Request	TOTAL COSTS
Australian Industrial Relations Commission/Aust'n Industrial Registry National Native Title Tribunal	2	0.01	\$682	\$2	1.33	\$342	\$684
Designs Office	15	0.01	\$558	\$95	0.18	\$44	\$653
Australian Film Commission	1	0.00	\$0	\$50	0.00	\$50	\$50
Office of Film and Literature Classification	1	0.00	\$0	\$35	0.00	\$35	\$35
ScreenSound Australia, The National Collection of Screen and Sound	1	0.00	\$0	\$15	0.00	\$15	\$15
Australian Wheat Board	2	0.00	\$0	\$5	0.00	\$3	\$5
Classification Review Board	0	0.00	\$0	\$5	0.00	\$0	\$5
RAAF Veterans' Residences Trust	0	0.00	\$0	\$3	0.00	\$0	\$3
TOTAL	33446	156.06	\$11,555,030	\$1,510,999	1.24	\$391	\$13,066,029

Summary of all Costs of FOI Reported by Agencies

Summary of all Costs of FOI Reported by Agencies

Summary of all Costs of FOI Reported by Agencies

Summary of all Costs of FOI Reported by Agencies

Non-Labour Costs Reported by Agencies

Appendix L: Non-Labour costs reported by agencies

AGENCY	Photocopy	Printing Purchase of Material	Postage	Telephone	Travel	Solicitors' Fees	Legal Counsel Fees	Applicants' Litigation Costs	Computer Time	Other	TOTAL	
Australian Taxation Office	14384	2530	4770	2630	23817	25679	214989	21803	0	47366	8402	\$366,370
Employment, Workplace Relations and Small Business	2373	0	0	215	371	764	128636	46058	0	1200	1145	\$180,762
Immigration and Multicultural Affairs	71004	3239	1041	21968	21140	9698	0	8806	0	33734	6100	\$176,730
Veterans' Affairs	71977	4064	573	33206	17491	1050	0	0	0	0	0	\$128,361
Centrelink	46886	4340	375	690	27681	15720	0	0	0	22199	0	\$117,891
Defence	768	0	0	442	294	2167	72527	8812	0	0	0	\$85,010
Finance and Administration	600	0	0	0	0	0	54000	0	0	0	0	\$54,600
AusIndustry	327	0	0	108	0	0	46228	0	0	0	0	\$46,663
Australian Federal Police	6500	0	0	1500	2200	4000	0	7000	0	21000	0	\$42,200
Aboriginal and Torres Strait Islander Commission	0	0	0	0	0	0	39955	0	0	0	0	\$39,955
Telstra Corporation Limited	213	0	0	416	400	0	23530	6625	0	0	1375	\$32,559
Health and Aged Care	1495	0	100	350	237	0	15125	5592	0	0	0	\$22,899
Attorney-General's	1157	117	0	413	171	1	11118	5778	700	559	52	\$20,066
CSIRO	3500	0	120	300	3200	3000	8787	0	0	0	0	\$18,907
Transport and Regional Services	1116	0	0	192	50	0	14204	937	0	0	2133	\$18,632
Industry, Science and Resources	500	0	0	500	0	0	15000	1500	0	0	0	\$17,500
Health Insurance Commission	1650	0	0	700	2100	2500	4000	3000	0	520	0	\$14,470
Airservices Australia	1671	0	23	285	274	0	0	0	0	13211	0	\$15,464
Civil Aviation Safety Authority	2190	0	1066	1558	3701	1120	0	0	0	5449	300	\$15,384
Refugee Review Tribunal	1999	162	33	2920	478	1509	0	0	0	4537	1345	\$12,983
Trade Marks Office	5830	22	0	1996	70	0	0	0	0	720	25	\$8,663
Education, Training and Youth Affairs	320	20	0	30	310	0	0	7325	0	0	0	\$8,005
Department of Foreign Affairs & Trade	1855	0	75	550	3010	0	672	0	0	0	350	\$6,512
Australian Securities and Investments Commission	1600	0	0	100	200	300	0	0	0	4000	0	\$6,200
Family and Community Services	464	100	255	69	117	4800	0	0	0	0	0	\$5,805
Commonwealth Ombudsman	503	645	0	200	40	0	0	0	0	2400	790	\$4,578
Treasury	149	3	0	24	40	0	3528	552	0	250	0	\$4,546
Department of Communications, Information Technology and the Arts	1500	0	0	100	400	0	2400	0	0	0	0	\$4,400
Australian Prudential Regulation Authority	57	0	0	22	0	0	0	0	0	3449	0	\$3,528
Reserve Bank of Australia	278	0	0	0	0	0	0	2560	0	0	0	\$2,838
Australian Fisheries Management Authority	700	0	0	150	200	0	600	0	0	1000	0	\$2,650
National Registration Authority for Agricultural & Veterinary Chemical	50	0	0	20	0	0	2500	0	0	0	0	\$2,570
Australian Customs Service	303	82	0	183	205	0	0	0	0	40	1400	\$2,213
Environment and Heritage	431	0	0	101	161	0	815	0	0	335	250	\$2,093
Australian Competition and Consumer Commission	580	0	0	0	0	0	0	0	0	0	1250	\$1,830
Commissioner for Superannuation	711	0	129	255	35	0	0	0	0	0	213	\$1,343
Australia Post	400	0	0	10	300	0	0	403	0	200	0	\$1,313
Australian Nuclear Science and Technical Organisation	100	0	0	50	50	100	1000	0	0	0	0	\$1,300
Australian Broadcasting Corporation	1000	0	0	40	100	0	0	0	0	0	0	\$1,140
Defence Force Retirement and Death Benefits (DFRDB) Authority	499	0	107	320	23	0	0	0	0	0	182	\$1,131

Non-Labour Costs Reported by Agencies

AGENCY	Photocopy	Printing	Purchase of Material	Postage	Telephone	Travel	Solicitors' Fees	Legal Counsel Fees	Applicants' Litigation Costs	Computer Time	Other	TOTAL
Australian Industrial Relations Commission/Aust'n Industrial Registry	1	0	0	1	0	0	0	0	0	0	0	\$2
TOTALS	251575	16278	8737	73744	109837	72734	660438	126751	820	163664	26421	\$1,510,999

Agencies and Ministers Subject to the FOI Act

Appendix M: Agencies and Ministers subject to the FOI Act as at 30 June 1999

AGRICULTURE, FISHERIES AND FORESTRY

AUSTRALIA

Australian Dairy Corporation
Australian Dried Fruits Board
Australian Fisheries Management Authority
Australian Horticultural Corporation
Australian Pork Corporation
Australian Wheat Board
Australian Wine and Brandy Corporation
Australian Wool Research and Promotion Organisation
Cotton Research and Development Corporation
Dairy Research and Development Corporation
Department of Agriculture, Fisheries and Forestry Australia
Dried Fruits Research and Development Council
Fisheries Research and Development Corporation
Grains Research and Development Corporation
Grape and Wine Research and Development Corporation
Horticultural Research & Development Corporation
Joint Coal Board
Land and Water Resources Research & Development Corporation
Minister for Agriculture, Fisheries and Forestry
Minister for Forestry and Conservation
Murray-Darling Basin Commission
National Registration Authority for Agricultural & Veterinary Chemicals
Pig Research and Development Corporation
Plant Breeder Rights Advisory Committee
Rural Adjustment Scheme Advisory Council
Rural Industries Research and Development Corporation
Snowy Mountains Hydro-Electric Authority
Sugar Research & Development Corporation
Tobacco Research & Development Corporation

ATTORNEY-GENERAL'S

Administrative Appeals Tribunal
Administrative Review Council
Attorney-General's Department
Australian Customs Service
Australian Federal Police
Australian Law Reform Commission
Australian Protective Service
Australian Transaction Reports and Analysis Centre (AUSTRAC)
Classification Review Board
Commonwealth Director of Public Prosecutions
Copyright Tribunal
Defence Force Discipline Appeal Tribunal
Family Court of Australia
Family Law Council
Federal Court of Australia
Federal Police Disciplinary Tribunal
High Court of Australia
Human Rights and Equal Opportunity Commission
Minister for Justice and Customs
National Native Title Tribunal
Office of Film and Literature Classification
Office of Parliamentary Counsel

Agencies and Ministers Subject to the FOI Act

COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS

Australia Council
Australia Post
Australian Broadcasting Authority
Australian Broadcasting Corporation
Australian Communications Authority
Australian Film Commission
Australian Film, Television and Radio School

Australian National Maritime Museum
Department of Communications, Information Technology and the Arts
National Archives of Australia
National Gallery of Australia
National Library of Australia

National Museum of Australia
National Science and Technology Centre
ScreenSound Australia, The National Collection of Screen and Sound
Special Broadcasting Service
Telstra Corporation Limited

DEFENCE

Army and Air Force Canteen Service Board T/A Frontline Defence Service
Australian Defence Force Campaign
CSS Board
Defence Force Retirement and Death Benefits (DFRDB) Authority
Defence Housing Authority
Department of Defence
Military Superannuation and Benefits Board of Trustees No.1
Minister Assisting the Minister for Defence
Minister for Defence
RAAF Veterans' Residences Trust
RAAF Welfare Trust Fund
RAN Relief Trust Fund
Trustees of the Australian Military Forces Relief Trust Fund

Trustees of the Australian Military Relief Trust Fund

Trustees of the Royal Australian Navy Relief Trust Fund

EDUCATION, TRAINING AND YOUTH AFFAIRS

Anglo-Australian Telescope Board
Australian Maritime College
Australian National Training Authority
Australian National University
Department of Education, Training and Youth Affairs

EMPLOYMENT, WORKPLACE RELATIONS & SMALL BUSINESS

Affirmative Action Agency
Australian Industrial Relations Commission/Aust'n Industrial Registry
Comcare
Defence Force Remuneration Tribunal
Department of Employment, Workplace Relations and Small Business
National Occupational Health and Safety Commission
Seafarers Rehabilitation and Compensation Authority

ENVIRONMENT AND HERITAGE

Australian Heritage Commission
Bureau of Meteorology
Department of the Environment and Heritage
Great Barrier Reef Marine Park Authority

FAMILY AND COMMUNITY SERVICES

Australian Institute of Family Studies

Centrelink
Department of Family and Community Services
Social Security Appeals Tribunal

FINANCE AND ADMINISTRATION

Australian Electoral Commission
Commissioner for Superannuation
Commonwealth Grants Commission
Companies and Securities Advisory Committee

Department of Finance and Administration

PSS Board

Agencies and Ministers Subject to the FOI Act

FOREIGN AFFAIRS AND TRADE

Australia-Japan Foundation
Australian Centre for International Agriculture Research

Australian Trade Commission (Austrade)
Department of Foreign Affairs & Trade
Export Finance and Insurance Corporation
Minister for Foreign Affairs
Minister for Trade

HEALTH AND AGED CARE

Australian Institute of Health and Welfare
Department of Health and Aged Care
General Practitioners Recognition Appeal Committee
General Practitioners Recognition Eligibility Committee
Health Insurance Commission
Medical (Dental Practitioners) Appeal Committee
Medical Benefits (Dental Practitioners) Advisory Committee
Medicare Benefits Advisory Committee

Overseas Specialist Advisory Committees-
ACT,NSW,NT,QLD,SA,TAS,VIC,WA
Specialist Recognition Appeal Committee

IMMIGRATION AND MULTICULTURAL AFFAIRS

Department of Immigration and Multicultural Affairs
Refugee Review Tribunal

INDUSTRY, SCIENCE & RESOURCES

Anti-Dumping Authority
AusIndustry
Australian Institute of Marine Science
Australian Nuclear Science and Technical Organisation
Australian Sports Drug Agency
Australian Tourist Commission
CSIRO
Department of Industry, Science and Resources
Designs Office
Minister for Sport and Tourism
National Standards Commission
Offshore Minerals Joint Authority - All States
Patents Office
Professional Standards Board for Patent & Trade Marks Attorneys
Trade Marks Office

PRIME MINISTER AND CABINET

Aboriginal and Torres Strait Islander Commission
Australian Institute of Aboriginal and Torres Strait Islander Studies
Commonwealth Ombudsman
Department of the Prime Minister and Cabinet
Merit Protection and Review Agency
Official Secretary to the Governor-General
Public Service and Merit Protection Commission

TRANSPORT AND REGIONAL SERVICES

Airservices Australia
Albury-Wodonga Development Corporation
Australian Maritime Safety Authority
Civil Aviation Safety Authority
Commonwealth Explosives Transport Committee
Department of Transport and Regional Services
National Capital Authority

TREASURY

Australian Accounting Standards Board
Australian Bureau of Statistics
Australian Competition and Consumer Commission
Australian Competition Tribunal
Australian Prudential Regulation Authority
Australian Securities and Investments Commission
Australian Statistics Advisory Council
Australian Taxation Office
Department of Treasury
National Competition Council
Productivity Commission
Reserve Bank of Australia
Superannuation Complaints Tribunal
Tax Agents Board (WA)
Tax Agents' Board (SA)
Tax Agents' Board (Tas)
Tax Agents' Board (Vic)
Treasurer's Office

Agencies and Ministers Subject to the FOI Act

VETERANS' AFFAIRS

Australian War Memorial

Department of Veterans' Affairs

Director of Australian War Graves

Minister for Veterans' Affairs

Repatriation Commission

Veterans' Review Board

FREEDOM OF INFORMATION ACT 1982

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS¹

GENERAL INFORMATION

Reporting requirements

The electronic forms should be used for quarterly and annual statistical returns for the 1998-1999 reporting year and subsequent years. These Guidelines supersede FOI Memorandum No. 20 on Statistics and Reporting.

2. The electronic forms differ very slightly from the hardcopy Quarterly Statistical Return form [AG561 (9/95)] and Annual Statistical Return form [AG561 (2/88)] which agencies have been using to complete their returns. Primarily as a result of the shift to an electronic reporting environment, there have been minor changes to the layout of some of the questions. These changes do not affect the information that is required to be reported by agencies.

3. Section 93(1) of the *Freedom of Information Act 1982* ('the FOI Act') requires the Attorney-General, as the Minister administering the FOI Act, to prepare and table in Parliament an annual report on the operation of the Act. Section 93(2) of the FOI Act requires each agency and Minister to provide information for inclusion in the report.

4. Separate returns should be completed for each Minister (and Parliamentary Secretary) and agency. If no requests under the FOI Act have been received, a **Nil Return** should be submitted. Details on how to complete a Nil Return for quarterly and annual returns are contained in these Guidelines.

Meaning of 'agency'

5. Section 4(1) of the FOI Act defines 'agency' to mean a Department (Parliamentary Departments are not included), a 'prescribed authority' or an 'eligible case manager'². 'Prescribed authority' is also defined in section 4(1) and, subject to a number of exceptions, includes a body corporate, or an unincorporated body, established for a public purpose by, or in accordance with the provisions of, an enactment or Order-in-Council. Companies and incorporated associations are not prescribed authorities (and therefore agencies) unless the Commonwealth is in a position to exercise control over that body and the body is listed in Schedule 1 of the

¹ Approved: 29/5/99

² Alteration of employment services arrangements means that 'eligible case managers', as defined in section 4(1), ceased to be agencies for the purposes of the FOI Act. References to 'eligible case managers' in the FOI Act will be deleted when other amendments are made to the Act. The last reporting year for 'eligible case managers' was the 1996/97 financial year.

Freedom of Information (Miscellaneous Provisions) Regulations ('FOI (MP) Regulations'). A list of agencies is included in the FOI Annual Report. The contact number for any questions about the status of a body as an agency is Ph: (02) 6250 6818.

Reporting deadlines

6. Regulation 6(a) of the FOI (MP) Regulations requires the information to be provided on a quarterly basis to the Attorney-General's Department not later than 21 days after the last day of each quarter. The quarters and the deadlines for submitting quarterly returns are:

- 1 July to 30 September: 21 October
- 1 October to 31 December: 21 January
- 1 January to 31 March: 21 April
- 1 April to 30 June: 21 July

7. The deadline specified in regulation 6(b) of the FOI (MP) Regulations for submitting annual returns is 31 July for each year ending on 30 June.

8. Agencies which supply the first three quarterly returns at the end of the reporting year are in breach of Regulation 6 of the FOI (MP) Regulations. Compliance with the quarterly deadlines ensures that the reporting of statistics is manageable for both agencies and the Attorney-General's Department.

9. It is important that agencies comply with the deadlines as the FOI Act requires the Attorney-General to prepare the annual report by 31 October each year. The names of agencies who have failed to submit quarterly or annual returns will be recorded in the FOI Annual Report.

Non-electronic returns

10. Where an agency is submitting a hand-written return (because it does not have Internet access and therefore cannot submit an electronic return), the return should be addressed to:

Information Access Section
Information Law Branch
Attorney-General's Department
Robert Garran Offices
Barton ACT 2600

Reconciling returns

11. A return should be reconciled with the previous return to ensure that carry-overs of requests have been made correctly, as the database onto which statistics are entered will not accept a return which is inconsistent with the previous return. If it is subsequently discovered that a return which has been submitted is incorrect, please contact the Information Access Section on Phone: (02) 6250 6492 or Fax: (02) 6250 5939.

Attorney-General's Department contact details

12. Inquiries in relation to processing of statistical return forms can be made to the Information Access Section on Phone: (02) 6250 6492 or Fax: (02) 6250 5939.

1. INSTRUCTIONS FOR COMPLETION OF AGENCY CONTACT DETAILS

Option 1 from the Main Menu contains:

- **Agency Details:** The name of the agency and portfolio, and the name, telephone number and other details of a contact officer in the agency who is able to answer inquiries about the information supplied in the return.
- **Password Change:** A facility for users to change their Password.

2. INSTRUCTIONS FOR COMPLETION OF THE QUARTERLY RETURN

General

13. When submitting electronic returns *you must enter your quarterly returns in sequential order*. You cannot enter data for a later quarterly return until you have completed an earlier quarterly return.

PART 1 - Agency Quarterly Details

14. Part 1 specifies the financial year being reported (eg. Financial Year Ending: 30 June 1999). The year-of-report (eg. 1999) is a system-generated figure which cannot be changed by the user.

15. Part 1 asks whether the quarterly return for an agency is its final quarterly return. This information will assist the Information Access Section in keeping agency information up to date. The Section also, where requested, provides advice to agencies on the legal aspects of requests for documents under the FOI Act. Where an agency is abolished, part of the paperwork in winding up the agency is the requirement to forward the last quarterly (and annual) return to the Attorney-General's Department. For example, where an agency was a statutory corporation and is being privatised, the FOI coordinator of the portfolio Department should ensure that a final quarterly (and annual) return for that agency is completed and forwarded to the Information Access Section. The final returns should be submitted as soon as practicable after the abolition of the agency and should not be left till the end of the reporting year. To submit a final quarterly return, click the box titled 'Is this your agency's last quarterly return?' and then click the 'Save' button.

Nil Returns

16. A 'Nil Return' is required to be submitted where there is nothing to report for the period. To submit a Nil Return, click the 'Nil Return' box in Part 1 and then click the 'Save' button.

PART 2 - Request Numbers

17. A request for documents or information should only be included in the statistics if it satisfies the requirements of section 15 of the FOI Act. Do not include requests for access to personnel records under section 15A of the FOI Act. A request for full or partial remission of an application fee or for reduction or non-imposition of charges is

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS

not an application for the purposes of section 15 and should not be included in the statistics except in Part 7. For the purpose of inclusion in the quarterly report a request must be one which:

- is in writing;
- provides such information as is reasonably necessary to enable identification of the documents requested by the applicant;
- specifies an address in Australia for correspondence;
- has been posted or delivered to the agency or Minister at an office listed in a current telephone directory; and
- either includes the application fee of \$30 or such part of the application fee as has not been remitted or is a request in respect of which the application fee has been remitted in full.

18. A communication requesting access to documents should be counted as one request regardless of the number of categories of documents sought and the fact that documents may be held in different areas of an agency, eg. "I want to see my personal files and also any document relating to the taxation of maintenance payments."

19. Requests for internal review of an agency's decisions and appeals against an agency's decisions which are being considered by the Administrative Appeals Tribunal (AAT) or the Federal Court are not current requests for the purposes of Parts 2, 3 and 4 of this return.

20. **Part 2A** is a system-generated figure which records the number of requests on hand and which must reflect the actual number still being processed at the beginning of the quarter. This should be checked against the number of requests outstanding at the end of the last quarter (as recorded on the previous return.)

21. For the purposes of **Part 2B** do not include partial transfers. Include transfers in whole from the ACT under section 16A of the FOI Act.

22. **Part 2C** records the number of requests where a decision on access was given, including requests withdrawn, during the quarter.

23. **Part 2D** is a system-generated figure which reflects the sum of Part 2A plus Part 2B less the figure in Part 2C.

PART 3 - Processing of Requests

24. Part 3 records a breakdown of the figure in Part 2C according to the type of decision made.

25. For the purposes of Part 3, where a decision has been made that access be granted in full or in part and the applicant has been notified in writing, the request is accordingly finalised for reporting purposes even if the relevant documents have not been forwarded to the applicant.

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS

26. All requests where decisions were made regarding access in whole or part should be recorded whether or not:

- access may be deferred under section 21 of the FOI Act;
- the applicant sought review of a decision granting access with deletions or with a charge for access; or
- the applicant indicated that having regard to the charges imposed he or she no longer wanted access.

27. **Part 3C** covers all requests where the applicant was notified in writing that access was refused, including where access has been refused because:

- no relevant documents could be found in the possession of the agency;
- the documents sought were not subject to the FOI Act;
- the documents sought were exempt documents;
- the request and subsequent consultation under section 24(6) of the FOI Act failed to provide sufficient information to identify the document sought; or
- compliance with the request would involve a substantial and unreasonable diversion of resources under section 17(2) or section 24(1) of the FOI Act.

28. For the purposes of Part 3C do not include:

- those requests where access is deemed to have been refused in accordance with section 56(1) of the FOI Act because the 30 day time limit for notifying a decision has expired (a 'deemed refusal'); or
- those requests where access in the form sought has been refused but access in another form has been granted.

29. For the purposes of **Part 3D** only include requests transferred in whole to another agency.

30. For the purposes of **Part 3E**, enter the number of requests which applicants have withdrawn or are taken to have withdrawn. Apart from the situations where section 29(2) applies, a request should only be recorded as withdrawn where the applicant has specifically indicated that the request has been withdrawn.

PART 4 - Response Time

31. The response times in Part 4 refer only to initial decisions notifying the applicant that access was granted in full or in part or was refused. The period to be recorded is the period between the date of receipt of the request by the agency and the date of dispatch of the notification of the access decision. The period is to be counted in calendar days. For the purposes of calculating response times in Part 4, do not take into account periods where the clock has stopped under sections 24(7) and 31 of the FOI Act. Where release is staged over a period of time because of the size or difficulty of a request, the response time still refers to the notification of the decision. Where, however, the size or difficulty of a request has caused a series of decisions to be made, the relevant response time is that of the last of the decisions.

PART 5 - Application Fees

32. The amounts to be entered in Parts 5A and 5B are the application fees collected during the quarter irrespective of when the fees were notified. The amounts for Parts 5A and 5B should reflect the total of nominal charges net of remissions and refunds. The simple test for this Part is how much cash was actually banked during the quarter.

PART 6 - Processing Charges

33. For **Part 6A** enter the number of requests, whenever received, for which charges were notified during the quarter.

34. **Part 6B** records a statement of the amount of charges notified during the quarter.

35. **Part 6C** records a statement of the amount of charges collected during the quarter, irrespective of when the charges were notified. The amount should reflect the total of nominal charges net of remissions and refunds. The simple test for this Part is how much cash was actually banked during the quarter.

PART 7 - Review of Access Decisions

36. The FOI Act provides three procedures for review of a decision refusing access in accordance with a request but statistics are only collected on applications for internal review under section 54 of the Act and applications to the AAT under section 55. Statistics are not collected on complaints to the Ombudsman under section 57 of the FOI Act.

37. For the purposes of Part 7, include requests for internal and AAT review of decisions on fees and charges.

38. **Part 7A** requires the number of applications for review received by the agency during the quarter, according to whether the applications are for internal review or AAT review.

39. The results of reviews, whether internal or AAT, must be recorded at Parts 7B-7E. These figures should relate to the number of review decisions made and notified during the reporting period. They are not required to (and often will not) correlate with the number of review applications received during the quarter.

40. **Part 7B** requires the number of access decisions, whenever made, which are affirmed during the quarter according to whether they are made by way of internal review or on review by the AAT.

41. **Part 7C** requires the number of access decisions, whenever made, which are varied during the quarter according to whether they are made by way of internal review or on review by the AAT, and the nature of the variation.

42. **Part 7D** requires the number of applications for review where the applicant withdrew after either no concession (internal review and AAT review), partial concession or complete concession by the agency (AAT review only).

43. **Part 7E** requires the number of applications for AAT review, whenever received, where the AAT decided during the quarter that it had no jurisdiction.

44. **Part 7F** requires the number of applications for AAT review based on delay (deemed refusal - where the agency has not notified the applicant of a decision within 30 days), according to whether the delay occurred at the primary stage (Part 7F(a)) or at the internal review stage (Part 7F(b)).

PART 8 - Amendment of Personal Records

45. Part 8 requires information about requests made under section 48 of the Act to amend personal records. Section 48 of the FOI Act provides that where a person claims that a document to which he or she obtained lawful access contains personal information about him or her:

- (a) that is incomplete, incorrect, out of date or misleading; and
- (b) that has been used, is being used or is available for use by the agency for an administrative purpose,

the person may request the agency to amend or annotate the record kept by the agency.

46. Since the amendment of the FOI Act in 1991 a person is not required to be an Australian citizen or be a person whose continued presence in Australia is not subject to any limitation imposed by law before he or she may make an application under Part V of the FOI Act.

47. Section 49 of the FOI Act requires that an application under Part V for amendment of a personal record must:

- be in writing;
- specify an address in Australia to which notices may be sent to the applicant;
- be posted or delivered to a central or regional office of the agency at the address listed in the telephone directory;

and must as far as practicable specify:

- the document that is claimed to require amendment;
- the information concerned and whether it is claimed to be incomplete, incorrect, out of date or misleading; and
- the applicant's reasons for the claim and the amendment requested by the applicant.

48. An agency deciding to amend a record in accordance with a request under section 48 has a discretion to make the amendment by altering the record or by adding an appropriate notation.

49. If the review decision is not to amend, the applicant may, under section 50(2), require the agency to add to the record a notation:

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS

- (a) specifying the respects in which the information is claimed to be incomplete, incorrect, out of date or misleading; and
- (b) in a case where the information is claimed to be out of date - setting out such information as is claimed to be required to update the information.

50. Where an agency decides not to amend a document in accordance with a request it is required to assist the applicant to make an application for annotation of the personal record if the applicant so wishes. However, an agency is not required to annotate a record in the manner requested by an applicant if it considers that the statement provided by the applicant is irrelevant, defamatory or unnecessarily voluminous.

51. The requirements to notify an applicant of a decision in relation to an application under Part V of the FOI Act and to give reasons for a decision are the same as those that apply where an applicant has made an application for access to documents. The agency is required to take all reasonable steps to enable an applicant to be notified of a decision as soon as practicable but, in any case, within 30 days of the receipt of the request. The requirements that decisions be made by authorised persons and for reasons for decisions are the same as those that apply where an application is made for documents. The applicant has the same rights to internal review and appeal to AAT as he or she has where the application is one for access to documents.

52. **Part 8A** requires the number of requests under section 48 received during the quarter.

53. **Part 8B** requires information about the time taken to notify the applicant of the decision on his or her request under section 48. The information is required to be given in respect of all requests under section 48, whenever received, upon which a decision was notified in the quarter. The period to be recorded is from the date of receipt of the request to the date of despatch of the notification of the decision. The period is to be counted in calendar days.

54. **Part 8C** requires a statement of the number of applications received during the quarter for (a) internal review; and (b) AAT review of section 48 decisions.

55. **Part 8D** requires a statement of the number of section 48 requests, whenever received, which resulted in:

- (a) alteration of the record;
- (b) an addition of an appropriate notation;
- (c) both an alteration and an addition of an appropriate notation; and
- (d) refusal or confirmation of a decision to refuse to amend or add an appropriate notation;

for the quarter, according to whether the decision was made at the primary, internal review, or AAT review stage.

3. INSTRUCTIONS FOR COMPLETION OF THE ANNUAL RETURN

PART 1 - Agency Annual Details

56. Part 1 specifies the financial year being reported (eg. Financial Year Ending: 30 June 1999). The year-of-report (eg. 1999) is a system-generated figure which cannot be changed by the user.

57. Part 1 also specifies the number of requests received. This figure is also a system-generated figure which cannot be changed by the user, and it represents the total of requests received as reported in the quarterly returns.

58. Part 1 asks whether the annual return for an agency is its final annual return. This information will assist the Information Access Section in keeping agency information up to date. The Section also, where requested, provides advice to agencies on the legal aspects of requests for documents under the FOI Act. Where an agency is abolished, part of the paperwork in winding up the agency is the requirement to forward the last annual (and quarterly) return to the Attorney-General's Department. For example, where an agency was a statutory corporation and is being privatised, the FOI coordinator of the portfolio Department should ensure that a final annual (and quarterly) return for that agency is completed and forwarded to the Information Access Section. The final returns should be submitted as soon as practicable after the abolition of the agency and should not be left till the end of the reporting year. To submit a final annual return, click the box titled 'Is this your agency's last annual return?' and then click the 'Save' button.

Nil Returns

59. A 'Nil Return' is required to be submitted where there is nothing to report for the period. To submit a Nil Return, click the 'Nil Return' box in Part 1 and then click the 'Save' button.

PART 2 - Staff Resources Involved in FOI Work

60. Parts 2A and 2B require information about the staff resources in two categories:

- the number of staff who spent at least 75% of their time on FOI work; and
- the number of staff who spent 0-75% of their time on FOI work.

61. Staff resources reported in this Part should be staff whose positions include FOI as part of their normal functions. 'FOI work' includes work done in revising sections 8 and 9 statements and work done in dealing with requests under the FOI Act whether or not the application proceeds.

Example 1

An Administrative Review Unit consists of three officers: Executive Level 2, Australian Public Service Level 6 and an Australian Public Service Level 3. The APSL6 and the APSL3 spend all their time on FOI. The Executive Level 2 spends 90% of his or her time on FOI and 10% on Ombudsman and AAT matters. Part 2A would be recorded as three. The Unit is supervised by an Assistant Secretary who spends 20% of his or her time on FOI. The Branch is responsible to a First Assistant Secretary who spends 5% of his or her time on FOI. Part 2B would be recorded as two.

Example 2

A small agency receives 10 requests during the year. These are processed by an officer who spends 2% of his or her time on the requests. Three of the requests required internal review by the agency's general manager who spent less than 1% of his or her time on them. Part 2A would be recorded as nil and Part 2B would be recorded as two.

PART 3 - Staff-Years Spent on FOI

62. Estimates for this item should be correct to two decimal places and should be based on the figure of 1.00 staff-years for each officer involved full time on FOI. It is important that these figures are as accurate as possible as they will be used to calculate the staff costs component of the report.

63. 'FOI work' has the same meaning as in Part 2. To convert from hours to staff-years, it is assumed, for simplicity, that one staff-year is 2,000 hours. The minimum time to be recorded is 0.01 staff-years which is equivalent to 20 hours. Any time less than 20 hours should be recorded as "0". Part 3A(i) records staff-years for officers whose primary function is FOI matters and for their supervisors (that is officers who spent at least 75% of their time on FOI work including sections 8 and 9 statements). Parts 3A(ii) and (iii) record staff-years for other staff, ie. line areas.

64. **Part 3A** requires information about staff resources within the agency. Ministers and their staff are reported separately in Part 3B.

Example 3

For the Administrative Review Unit described in Example 1 above, the estimated staff-years would be:

Executive Level 2 (90% of time on FOI)	0.90
APS Level 6 (100% of time on FOI)	1.00
APS Level 3 (100% of time on FOI)	1.00
Assistant Secretary (20% of time on FOI)	0.20
First Assistant Secretary (5% of time on FOI)	<u>0.05</u>
TOTAL	<u>3.15</u>

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS

The number of staff-years would be recorded in Part 3A(i) as 3.15, as FOI is part of the duties of the above officers.

Example 4

An agency receives 10 requests which involve the following officers in a policy area: Executive Level 2, 100 hours; Assistant Secretary, 40 hours; First Assistant Secretary, 25 hours; and Deputy Secretary, 10 hours. This must be separated into 'SES' and 'APS Level 6, Executive Levels 1-2' officers. In this case 75 'SES' and 100 'APS Level 6, Executive Levels 1-2' hours were spent on FOI.

Before recording these figures they must be converted into staff-years:

SES	=	75 hours/2000 (1 staff-year)	=	0.04 staff-years
APSL6, Executive Levels 1-2	=	100 hours/2000 (1 staff-year)	=	0.05 staff-years

Example 5

Support staff (APS Levels 1-5) spent the following time on FOI matters:

typing of FOI letters and internal correspondence	122 hours
photocopying of documents for release	41 hours
filing	37 hours
data entry	<u>59 hours</u>
TOTAL	<u>259 hours</u>

Total staff-years for support staff = $259/2000 = 0.13$ staff-years

65. **Part 3B** records the time spent by a Minister or Ministerial staff. If a request involves both an agency and a Minister's office the time spent by each should be recorded separately and, of course, reported separately. Time should be recorded separately for (i) Ministers and advisers; and (ii) Minister's support staff.

Example 6

The Minister and his or her advisers spent 0.02 staff-years and his or her support staff spent 0.05 staff-years on FOI work. Part 3B of the annual return would look like this:

B. Minister's office

(i) Minister and advisers	0.02
(ii) Minister's support staff	0.05
TOTAL	0.07

GUIDELINES FOR COMPLETING QUARTERLY AND ANNUAL STATISTICAL RETURNS

66. Section 93 of the FOI Act requires each Minister, as well as each agency, to furnish, in relation to their official documents, information for inclusion in the FOI annual report. Section 4(1) of the FOI Act defines “Minister” to include a Parliamentary Secretary appointed under the *Parliamentary Secretaries Act 1980*. Portfolios with Parliamentary Secretaries and other junior ministers should, therefore, submit separate annual and quarterly returns for each minister.

PART 4 - Non-Staff Costs Directly Attributable to FOI

67. All expenditure on these items arising from FOI should be listed, whether in response to FOI requests, in the course of administrative processes for handling FOI, in the preparation of section 8 and section 9 documents or as a result of training programs etc.

Item	Comments
Photocopying	Includes documents for release, papers for consultation, file copies of correspondence, drafts of submissions, documentation for review bodies etc at 10 cents per page.
Printing	Includes brochures, agency FOI manuals, request forms etc.
Purchase of material	Includes audio visual and other training aids, publications on FOI, equipment, furniture and fittings for inspection facilities etc.
Postage	Includes routine correspondence and other methods of delivery (eg. priority paid, air express, courier). Current postage charges should be applied when making an estimation.
Telephone	Includes an estimate of the cost of local and STD calls for all officers of the agency for FOI matters.
Travel	Includes fares and travelling allowances for all officers of the agency on FOI matters.
Solicitors’ fees and legal counsel fees	Is the actual fees paid during the period 1 July to 30 June, regardless of the period in which the services were performed.
Computer time	Includes cost of use of agency’s computer facilities for entry of FOI statistical data, search and retrieval etc.
Other	Includes seminar fees, special access arrangements etc.

PART 5 - Comments on Operation/Administration of the FOI Act

68. Completion of Part 5 is not compulsory but agencies are invited to provide comments on matters such as:

- the effect of amendments to the FOI Act;
- the level and quality of support offered by the Attorney-General's Department;
- the effect of changes to internal structures and procedures; and
- changes to the level or location of decision-makers within the agency.

Comments are sought on how such matters affect the operations of the agency and its ability to manage its FOI responsibilities.

PART 6 - Comparison with Previous Year

69. Completion of Part 6 is not compulsory but agencies are urged to provide an explanation, which could be included in the FOI Annual Report at the request of an agency, of major differences in costs incurred in the year under report and costs incurred during the previous year. In the past, agencies have received adverse media criticism where there were significant increases in costs and no explanation was provided in the report.