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Statutory Rules 1991 No. 1

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## Freedom of Information (Fees and Charges) Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, make the following Regulations under the *Freedom of Information Act 1982*.

Dated 22 OCTOBER 1991.

**BILL HAYDEN**

Governor-General

By His Excellency's Command,

MICHAEL DUFFY

Attorney-General

### 1. Amendment

1.1 The Freedom of Information (Fees and Charges) Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on the day that the *Freedom of Information Amendment Act 1991* commences: see *Acts Interpretation Act 1901*, s.4]

**2. Regulation 3 (Liability to pay charges)**

2.1 Add at the end:

“(3) A reference in items 2A and 6 of Part I of the Schedule to a maximum charge in respect of a request for access does not apply to an applicant:

- (a) who is not an Australian citizen; or
- (b) whose continued presence in Australia is subject to a limitation as to time that is imposed by law.”.

**3. Regulation 6 (Charges and fees not applicable in relation to certain documents)**

3.1 Paragraph 6 (1) (b):

Omit the paragraph, substitute:

“(b) the *Social Security Act 1991*.”.

**4. Regulation 11 (Charges to be paid before access is granted)**

4.1 Subregulation 11 (3):

Omit “in accordance with section 30 of the Act”.

**5. Regulation 14 (Deposit not to be refunded)**

5.1 Omit “under section 30 of the Act”.

**6. Schedule (Charges applicable in respect of a request for access to a document)**

6.1 Item 2 of Part I:

Omit “Item 3”, substitute “item 2A or 3”

6.2 After item 2 of Part I, insert:

“2A	If the request relates to a document that contains personal information about the applicant—a charge for the time spent by the agency or the Minister in searching for or retrieving the document	\$15 for each hour, to a maximum charge of \$30”.
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6.3 Part I:

Add at the end:

"6 If the document referred to in item 5 contains \$20 for each personal information about the applicant—a charge hour, to a for the time that is spent in deciding whether to maximum grant, refuse or defer access to the document or to charge of grant access to a copy of the document with \$40". deletions

6.4 After item 4 of Part II, insert:

"4A A charge for the production by an agency of a copy an amount of a document in the form of a computer tape or a that does not computer disk exceed the actual costs incurred by the agency in producing the copy of the document".

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NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1991. 24 October
2. Statutory Rules 1982 No. 197 as amended by the ~~Freedom of Information Amendment Act 1986~~ (Act No. 111 of 1986),