

This information sheet sets out the requirements for the payment of application fees and processing / access charges, as prescribed under the **Right to Information Act 2009 (RTI)** and the **Information Privacy Act 2009 (IP)**.

Key principles

- The applicable RTI / IP fees and charges are prescribed by regulation, and are GST-free.
- Agencies have a statutory duty to minimise any charges payable by an applicant
- Waiver of charges is available in certain circumstances; the application fee cannot be waived.

application fee <i>*only for applications processed under RTI Act</i>	\$39.00 <i>*cannot be waived</i>
processing charges <i>*only for applications processed under RTI Act</i> (for time spent dealing with the application, if more than 5 hours; must be paid whether or not access is granted to the requested information)	\$ 6.00 for each 15 minutes or part thereof
access charges <i>*for applications processed under both RTI and IP Acts</i> (for costs involved in providing access; must be paid before access is granted to the requested information)	20 cents per photocopied page
	up to actual cost for other forms of access

Applications to access or amend personal information (processed under *Information Privacy Act 2009*)

Under the *Information Privacy Act 2009*, no application fee or processing charges are payable. However, IP access applications may be subject to **access charges**.

Applications to access non-personal information (processed under *Right to Information Act 2009*)

Application fee: Under the *Right to Information Act 2009*, all RTI applications are subject to an application fee (currently \$39.00), which must be paid at the time the application is made. The application fee is mandatory for all applications processed under the RTI Act, and cannot be waived for any reason.

If an RTI application is lodged via the Queensland Government smartservice website: <https://www.smartservice.qld.gov.au/services/information-requests/home.action> the application fee must be paid by credit card as part of the lodgment process.

For applications lodged in person or by mail, the application fee is payable by:

- forwarding a cheque or money order for \$39.00, made payable to "Queensland Health" or
- completing the credit card payment section on page 3 of the prescribed application form.

The RTI Act provides for 'part-transfer' of an application if some of the documents sought are not held by the agency to which the application has been made, but are held by another agency. In such cases, a separate application fee will be payable to the agency to which the application has been part-transferred.

Charges: As soon as possible in the processing of an RTI application, the agency is required to provide the applicant with a 'charges estimate notice', confirming whether charges are payable in relation to the application. If charges are payable, the notice must set out the estimated amount of the charges and explain how that amount has been calculated. The applicant then has an opportunity to alter the application to reduce the amount that must be paid.

Waiver of fees and charges

As indicated above, the RTI application fee cannot be waived. However, the charges payable for an RTI or IP application may be waived, but only on grounds set out in the legislation:

- where the applicant is under "financial hardship" (as defined in the legislation)
- where it would be uneconomical for the agency to impose the charges
- by order of the Information Commissioner, where the agency has delayed

This summary discusses general principles only.

If you need any additional information about the fees and charges for RTI or IP applications made to Queensland Health, please contact:

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