

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.1

Question No. SBE15/010

Senator Rhiannon asked the following question at the hearing on 20 October 2015:

Senator RHIANNON: But if fewer people are able to interact with the system that is something that should be explored. I now refer to question No. AE15/068 and the answer to 1a. The English is not fantastic, but I think we can get the meaning of it:

The Attorney-General's Department notes that AAT application fees may be reduced fee to \$100 in cases of hardship ...

Could I ask for figures here, please. How many reduced fees have been issued? What was the total number, and what was the percentage overall?

Senator Brandis: I will take that on notice, and I apologise for the evident absence of an indefinite article somewhere in that sentence.

Senator RHIANNON: Please also take on notice how many applications were successful overall and how many were knocked back. Could that be in numbers and percentages, please.

Senator Brandis: Yes.

The answer to the honourable senator's question is as follows:

The AAT has advised there were 64 applications for review of FOI decisions in 2014-15.

A reduced fee or no fee was payable in 29 applications (45.3%) as follows:

- (a) a reduced fee of \$100 was paid in 18 applications (28.1%)
- (b) no fee was payable for 6 valid applications (9.4%)
- (c) no fee was payable for 5 invalid applications (7.8%).

There were 53 FOI reviews finalised by the AAT in 2014-15. The FOI decision under review was:

- (a) affirmed or otherwise unchanged in 41 applications (77.4%)
- (b) varied or set aside in 12 applications (22.6%).

A successful applicant is entitled to a refund of the application fee. The refund amount is \$761, the difference between the full application fee of \$861 and \$100. The application fee is not refunded in cases where the reduced fee is paid. The AAT refunded fees in 4 applications finalised in 2014-15 (33% of the successful applications).