



Australian Government
Bureau of Meteorology

HEAD OFFICE
Bureau of Meteorology
GPO Box 1289 Melbourne VIC 3001 Australia

In reply please quote
30/5693

Mr Malcolm-leuan: Roberts
180 Haven Road
PULLENVALE QLD 4069

To be sent via email: malcolmr@conscious.com.au

Dear Mr Roberts

Freedom of Information Request: Global Warming

01. I refer to your request for access to documents under the *Freedom of Information Act 1982* (FOI Act) received by the Bureau via registered mail on 20 February 2013.

02. I am authorised to make a decision in relation to your request pursuant to section 23 of the FOI Act including decisions in relation to charges.

Your request

03. I extract the following from your email dated 18 March 2013 in which you agreed to revise your FOI request:

I am willing to change the scope of my request made under FOI provisions to the following:

1. *Copies of BoM advice, briefings, analysis and reports regarding global warming (aka climate change) to: the Howard Government from 2005 to 2007; Penny Wong when Climate Change Minister from 2007 to 2010 and Greg Combet when Climate change minister from 2010 to present.*
2. *Copies of internal BoM advice, briefs, reports and analysis to BoM Executives on global warming (aka climate change) from 2005 onwards.*
3. *I am happy to specifically exclude the following from the scope of my request:*
 - *empirical observational data and output from computerised numerical models*;*
 - *material already published and available to the public;*
 - *third party material.*

Charges for Information

04. The Bureau has undertaken a range of searches for documents, and is now in the process of decision-making. I have decided that you are liable to pay a charge pursuant to section 29 of the FOI Act in respect of a request for access to the documents that fall within your request. A copy of this section is provided with this letter.

05. You are notified that:

- a. You are liable to pay a charge in respect of the provision to you of access to documents requested.
- b. My preliminary assessment of the charge is \$420.00. This is based on 8 hours of searching for the requested information, plus 20 hours of decision-making. Hourly rates of \$15.00 for document searching and \$20 for decision-making were used to calculate the charge, and the first 5 hours of decision-making time has been excluded from this assessment.

Australia's National Meteorological Service

- c. You have a right to contend that the charge is wrongly assessed or should be reduced or waived;
- d. The Bureau in considering any such request, must take into account whether payment of the charge would cause financial hardship to you or the person on whose behalf the application was made, and, whether giving access would be in the public interest or in the interest of a substantial section of the public;
- e. A deposit is not payable;
- f. You are obligated, within 30 days to agree to pay the charge, to dispute the charge or seek a waiver or reduction, or to withdraw the FOI request;
- g. The FOI request will be taken to have been withdrawn if you fail to respond within that period; and
- h. You are not entitled to have access to any document until all charges are paid (s11A(1)(b)). A copy of this section is provided with this letter.

Review Rights

06. If you are dissatisfied with this decision, you have rights of review available to you.

07. Firstly, under section 54 of the FOI Act, you may apply for an internal review of the decision. Your application must be made by whichever date is the later between:

- 30 days of you receiving this notice; or
- 15 days of you receiving the documents to which you have been granted access.

08. An internal review will be conducted by a different officer from the original decision-maker. No particular form is required to apply for review although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned. An application for a review of the decision should be addressed to:

Freedom of Information Coordinator
Bureau of Meteorology
GPO Box 1289 Melbourne 3001

09. If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

External review by the Australian Information Commissioner

10. Alternatively, under section 54L of the FOI Act, you may, seek a review of this decision by the Australian Information Commissioner without first going to internal review. Your application must be made within 60 days of you receiving this notice.

11. The Information Commissioner is an independent office holder who may review decisions of agencies and Ministers under the FOI Act. More information is available on the Information Commissioner's website www.oaic.gov.au.

12. You can contact the Information Commissioner to request a review of a decision online or by writing to the Information Commissioner at:

GPO Box 2999
Canberra ACT 2601

Complaints to Ombudsman or Information Commissioner

13. You may complain to either the Commonwealth Ombudsman or the Information Commissioner about action taken by the Bureau of Meteorology in relation to the application. The Ombudsman

will consult with the Information Commissioner before investigating a complaint about the handling of an FOI request.

Enquiries to the Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)
Email ombudsman@ombudsman.gov.au

Enquiries to the Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)
Email enquiries@oaic.gov.au

14. There is no particular form required to make a complaint to the Ombudsman or the Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Bureau of Meteorology as the relevant agency.

Timing

15. On 18 March 2013, you granted the Bureau a 30 day extension of processing time under s.15AA of the Act. The Bureau advised you that the time period for processing your request was therefore extended to Wednesday 1 May 2013. Please note that the processing period will be extended beyond this date to allow for the period when the charge is unpaid.

For further information

16. For further information please contact the Bureau's FOI Coordinator (Patrick Ferry) on 03 96694319 or via email: foi@bom.gov.au

Yours sincerely,



Chris Stocks
Assistant Director (People Management)
Bureau of Meteorology

22 April 2013

