

Charge for supply of building information

Legislation	Local Government Official Information and Meetings Act 1987, ss 13(1A), 13(3)
Agency	City Council
Ombudsman	David McGee
Case number(s)	307851
Date	August 2012

\$0.45 per page photocopying charge unreasonable

A council charged \$0.45 per page for photocopying building information, and the requester complained to the Ombudsman. The council explained that the \$0.45 per page charge reflected the additional cost to council of complying with the statutory requirement to keep building information for the life of the building (estimated to be 50 years minimum), as well as the ongoing maintenance costs associated with electronic storage of the files.

The Ombudsman was not persuaded there was any justification for exceeding the standard photocopying charge prescribed in the *Charging Guidelines* (\$0.20 per page for photocopying in excess of 20 pages).

The Ombudsman noted that section 13(3) of the LGOIMA talks about charges being set with regard to the cost of labour and materials involved in making the information available. While these are not the only matters to which regard may be had, establishment and maintenance costs for systems and storage facilities are not the kinds of costs contemplated by section 13(3). If that were the case, a cost for a service that is for the benefit of the entire community would be being passed on to an official information requester. The Ombudsman considered that a requester can be charged (within reason) for the extra costs generated by meeting a request, but that it is not reasonable to go beyond this.

The per page charge was reduced to \$0.20 in light of the Ombudsman's view, and the revised charge was found by the Ombudsman to be reasonable.

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