

Fees and Charges, as allowed under access to information legislation

2012

These charges were approved by the Policy Committee of The Moray Council on 24 October 2007. These charges were confirmed by the Policy & Resources Committee of the Moray Council on 20 March 2012

To ensure that the introduction of charges does not have an adverse affect on the council's commitment to open government a review will be submitted to Policy Committee in October 2008.

Freedom of Information (Scotland) Act 2002	
<p>The Council may charge for printing/ photocopying, postage and actual staff time (up to a maximum of £15 per person per hour*) to retrieve, collate, copy and redact the information. Cost does not include time taken to decide whether the information is held or should be given out, calculate the fee, or decide whether exemptions apply.</p> <p>* Scottish Statutory Instrument 2004 No 476 The Freedom of Information (Fees for Required Disclosure) (Scotland) Regulations 2004 *Scottish Statutory Instrument 2004 No 376 The Freedom of Information (Fees for Disclosure under Section 13) (Scotland) Regulations 2004</p>	
First £100.00	Under the Act no charge can be made for the first £100.00 cost to the Council
Above £100.00	Under the Act the Council will charge at a rate of 10% of the cost over the first £100.00
Above £600.00	Under the Act the Council does not have to supply information if the cost to the Council exceeds £600.00 (Excessive Cost of Compliance section 12 of FOI(S)A and Scottish Statutory Instruments 376 and 476
Staff costs	Actual staff cost (including on-costs) to a maximum of £15.00 per person per hour
Publication Scheme	<p>Certain items available on the Publication Scheme may attract a fee. This is made clear on the publication scheme</p> <p>Please see the Council's Publication Scheme under Information Rights on http://www.moray.gov.uk/moray_standard/page_46049.html</p>

Environmental Information (Scotland) Regulations 2004	
<p>The Council may charge a reasonable fee for the provision of environmental information which should not exceed the actual costs of supplying the information including retrieval and copying. Any fees charged must be clearly set out for the public.</p> <p>Under EISRs there is no lower and no upper limit to charges</p>	
No charge	For consulting publicly available documents

Photocopy charges	A4 b/w 10p A3 b/w 20p A4 colour £1.00 A3 colour £1.50 Larger sizes will be charged at full commercial rates
Staff costs	Actual staff cost (including on-costs) to a maximum of £15.00 per person per hour

Re-Use of Public Sector Information (Statutory Instrument 1515 2005)	
<p>The Council may charge for allowing re-use. The Regulations entitle the Council to charge for the cost of the collection, production, re-production and dissemination of the information, together with a 'reasonable return on investment'.</p> <p>The Moray Council needs to maintain a list of documents available for re-use and assign a re-use fee or licence to the document on a case by case basis.</p>	
No charge	For consulting publicly available documents To consult this information during working hours
Licence Fee – case by case	<p>A licence fee will take into account the following:</p> <ul style="list-style-type: none"> • The Council's intellectual property, i.e. information that has a commercial value (A charge for this would be determined on a case by case basis). • Charges for staff time (i.e. hourly charges in making the requested information available). • Charges for materials (i.e. photocopying etc).
Photocopy charges	A4 b/w 10p A3 b/w 20p A4 colour £1.00 A3 colour £1.50 Larger sizes will be charged at full commercial rates
Staff costs	Actual staff cost (including on-costs) to a maximum of £15.00 per person per hour
Information Asset Register	The Council will compile, maintain and publish an Information Asset Register of documents which may be re-used

Data Protection Act (1998)	
<p>The Council will charge a £10.00 for a Data Subject Access Request under the Act. A charge will be made for supplying copies of documents for requests for educational records.</p> <p>*Statutory Instrument 2000 No 191 The Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000</p>	
Data Subject Access Request	£10.00 fee payable in advance*
Education Subject Access Request	Fees are dependent on the number of photocopies made in response to the request. A charge will be made for photocopies at the usual rate
Photocopy charges	A4 b/w 10p A3 b/w 20p A4 colour £1.00 A3 colour £1.50 Larger sizes will be charged at full commercial rates
Data Subject Access Request Form	http://www.moray.gov.uk/downloads/file41452.pdf Available on the Council website

Pupils Education Records (Scotland) Regulations 2003 Aligned with DPA	
Section 9 Fees	1) The responsible body may charge such fee as they think fit which a) shall not exceed the cost of supply and b) b) is subject to the maximum fee which would apply to a subject access request in terms of the 1998 Act and Regulations made thereunder 2) Where a fee is charged for supplying a copy of the requested information in its original format, no greater charge shall be made for supplying a copy of that information in an alternative language
Fee (as DPA)	£10.00 fee payable in advance
Supply of copy of pupils education records	Fees are dependent on the number of photocopies made in response to the request. A charge will be made for photocopies at the usual rate
Photocopy charges	A4 b/w 10p A3 b/w 20p A4 colour £1.00 A3 colour £1.50 Larger sizes will be charged at full commercial rates
Data Subject Access Request Form including education records	http://www.moray.gov.uk/downloads/file41452.pdf Available on the Council website

Local Government Access to Information Act 1985	
Committee Services documents e.g. minutes, reports and agendas	Free of charge – available on the internet However, requests for copies are charged at £5.50 administration fee + 10p per sheet of photocopying (20p if double sided)

Miscellaneous	
CD/electronic format	A reasonable charge may be made to cover staff time in writing this information to disc. Postal costs if sent by post.
Information provided as a specialist service:	The Council compiles/interprets information as a service to meet specialised requests (for instance a family name search carried out by staff at the Local Heritage Centre). Such requests are detailed within individual publication entries in the Publication Scheme and any charge reflects the staff time in retrieving/collating/copying this information.

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The table of charges will be reviewed annually.