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STATUTORY INSTRUMENTS

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**2004 No. 3244**

**The Freedom of Information and Data Protection  
(Appropriate Limit and Fees) Regulations 2004**

**Maximum fee for complying with section 1(1) of the 2000 Act**

6.—(1) Any fee to be charged under section 9 of the 2000 Act by a public authority to whom a request for information is made is not to exceed the maximum determined by the public authority in accordance with this regulation.

(2) Subject to paragraph (4), the maximum fee is a sum equivalent to the total costs the public authority reasonably expects to incur in relation to the request in—

- (a) informing the person making the request whether it holds the information, and
- (b) communicating the information to the person making the request.

(3) Costs which may be taken into account by a public authority for the purposes of this regulation include, but are not limited to, the costs of—

- (a) complying with any obligation under section 11(1) of the 2000 Act as to the means or form of communicating the information,
- (b) reproducing any document containing the information, and
- (c) postage and other forms of transmitting the information.

(4) But a public authority may not take into account for the purposes of this regulation any costs which are attributable to the time which persons undertaking activities mentioned in paragraph (2) on behalf of the authority are expected to spend on those activities.