



6 July 2017

**In reply please quote**

FOI Request FA 17/05/00563  
File Number ADF2017/48360

Dear [REDACTED]

**Freedom of Information request – Release of documents**

This letter refers to your Freedom of Information request received on 10 May 2017 seeking access under the *Freedom of Information Act 1982* (the Act) to the following:

**1. Scope of request**

I note that your request is limited to applications where the applicant's residential address is in the country of Malaysia.

*"For each 'organisation' under the 'migration agent contact details' of the visa application, please provide:*

- 1. For Business Innovation Stream, Subclass 188*
  - Total application submitted*
  - Total application refused*
- 2. For Investor Stream, Subclass 188*
  - Total application submitted*
  - Total application refused*
- 3. For Significant Investor Stream, Subclass 188*
  - Total application submitted*
  - Total application refused*
- 4. For Business Talent, Subclass 132*
  - Total application submitted*
  - Total application refused"*

**2. Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate Departmental records.

This letter is to provide you with my decision, which is set out below.

### 3. Information considered

In reaching my decision, I have considered the following:

- The terms of your request;
- The *Freedom of Information Act* 1982;
- Departmental documents;
- Consultations with relevant Departmental business areas; and
- The Australian Information Commissioner's guidelines relating to access to documents held by government.

### 4. Documents in scope of request

Section 17 of the FOI Act provides that where an agency can produce a written document containing the information in discrete form by the use of a computer, and the work required would not substantially and unreasonably divert resources of the agency from its other operations, the operation shall deal with the request as if it were a request for access to a written document so produced.

As such, in accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document '*Business Innovation and Investment – Visa subclass 132 and 188 lodged in 2012-13 where the Citizenship Country is Malaysia*' relevant the scope of your request.

I am satisfied that the Department has created a document relevant to the scope of your request.

### 5. Decision on access

The decision in relation to the document in the possession of the Department which comes within the scope of your request is to release one document in full.

### 6. Legislation

A copy of the FOI Act is available for your reference from [www.legislation.gov.au/Browse/ByTitle/Acts/InForce/0/0/Principal](http://www.legislation.gov.au/Browse/ByTitle/Acts/InForce/0/0/Principal)

### 7. Your Review Rights

#### Internal review

If you disagree with this decision, you have the right to apply for an internal review of the decision. If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by an officer other than the original decision-maker and the Department must make a review decision within 30 days. Applications for review should be sent to:

Freedom of Information  
Department of Immigration and Border Protection  
PO Box 25  
BELCONNEN ACT 2617

Or by email to: [foi.reviews@border.gov.au](mailto:foi.reviews@border.gov.au)

Review by the Office of the Australian Information Commissioner

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 '*Freedom of information – Your review rights*', available online at <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

**8. Making a complaint**

You may complain to the Australian Information Commissioner if you have concerns about how the Department has handled your request under the FOI Act. Information about how to submit a complaint is also available at [www.oaic.gov.au](http://www.oaic.gov.au).

**9. Contacting the FOI Section**

If you wish to discuss this matter, I can be contacted using the details provided below.

Yours sincerely



Authorised decision maker  
Freedom of Information Section  
Department of Immigration and Border Protection  
Email [foi@border.gov.au](mailto:foi@border.gov.au)