



25 October 2018

BY EMAIL: [REDACTED]

**In reply please quote:**

FOI Request: FA 18/06/00238  
File Number: ADF2018/64794

Dear [REDACTED]

**Freedom of Information (FOI) request - Access Decision**

On 04 June 2018, the Department of Home Affairs (the Department) received a request for access to document under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

**1 Scope of request**

You have requested access to the following document:

***Overview of Information Required***

*I am seeking to obtain data about the following five temporary visa subclasses issued to primary applicants in ANZSCO Minor Group '233 Engineering Professionals':*

- 1. Temporary Work (Skilled) visa (subclass 457)*
- 2. Skilled - Recognised Graduate visa (subclass 476)*
- 3. Temporary Graduate visa (subclass 485) (Graduate Work Stream)*
- 4. Temporary Graduate visa (subclass 485) (Post-Study Work Stream)*
- 5. Skilled Regional (Provisional) visa (subclass 489)*

*I am seeking this information for the 2016-17 financial year only.*

*I am not seeking data that can be specifically identified with any of the 21 engineering occupations in ANZSCO Minor Group 233. Rather, I am seeking grouped (or combined) data for all occupations in ANZSCO Minor Group '233 Engineering Professionals' – ie. data at the three digit level. The exception is the Temporary Graduate visa (subclass 485) (Post-Study Work Stream) where I am seeking more detailed information if it exists.*

## **Specific Information Required**

*For the nominated visas granted to all primary applicants in ANZSCO Minor Group '233 Engineering Professionals' in 2016-17:*

### **1. Subclass 457 Visa**

#### *1.1 For onshore applications*

*1.1.1 The total number of visas granted to primary applicants.*

*1.1.2 The number of visas granted to female primary applicants.*

*1.1.3 The number of visas granted to primary applicants in each five year age block between age 20 and age 60, ie. number of visas granted to those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

*1.1.4 The number of visas granted to primary applicants grouped according to years of relevant professional experience, ie the number of visas granted to those with the following number of years of relevant professional experience: <1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and >15.*

*1.1.5 The number of visas granted to primary applicants with reported salaries less than the Temporary Skilled Migration Income Threshold of \$53,900.*

*1.1.6 The median reported salary of primary applicants in each five year age block between age 20 and age 60, ie. the median salary of those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

#### *1.2 For offshore applications*

*1.2.1 The total number of visas granted to primary applicants.*

*1.2.2 The number of visas granted to female primary applicants.*

*1.2.3 The number of visas granted to primary applicants in each five year age block between age 20 and age 60, ie. number of visas granted to those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

*1.2.4 The number of visas granted to primary applicants grouped according to years of relevant professional experience, ie the number of visas granted to those with the following number of years of relevant professional experience: <1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and >15.*

*1.2.5 The number of visas granted to primary applicants with reported salaries less than the Temporary Skilled Migration Income Threshold of \$53,900.*

*1.2.6 The median reported salary of primary applicants in each five year age block between age 20 and age 60, ie. the median salary of those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

### **2. Subclass 476 Visa**

#### *2.1 For onshore applications*

*2.1.1 The total number of visas granted to primary applicants.*

*2.1.2 The number of visas granted to female primary applicants.*

*2.1.3 The number of visas granted to primary applicants in the following three age blocks: 20-24, 25-29, >29.*

#### *2.2 For offshore applications*

*2.2.1 The total number of visas granted to primary applicants.*

*2.2.2 The number of visas granted to female primary applicants.*

*2.2.3 The number of visas granted to primary applicants in the following three age*

blocks: 20-24, 25-29, >29.

### **3. Subclass 485 (Graduate Work Stream) Visa**

#### *3.1 For all applications*

*3.1.1 The number of visas granted to male primary applicants.*

*3.1.2 The number of visas granted to female primary applicants.*

### **4. Subclass 485 (Post-Study Work Stream) Visa**

#### *4.1 For all applications*

*4.1.1 In a previous FOI request (FA 18/02/00796) it was revealed that in 2016-2017, there were no visas granted to applicants with an occupation falling under ANZSCO classification '233 Engineering Professionals'. Please explain the reason why apparently no engineering graduates were granted this visa, when thousands were granted the subclass 476 and subclass 485 (Graduate Work Stream) visas.*

*4.1.2 If engineering graduates were in fact granted this visa, please provide the following information for engineering disciplines with these Australian Standard Classification of Education (ASCED) codes: 03 (Engineering and Related Technologies), 0301, 0303, 0305, 0307, 0309, 0311, 0313, 0315, 0317, 0399.*

*The information required for each of these codes is:*

*4.1.2.1 The number of visas granted to male primary applicants.*

*4.1.2.2 The number of visas granted to female primary applicants.*

### **5. Subclass 489 Visa**

#### *5.1 For onshore applications*

*5.1.1 The total number of visas granted to primary applicants.*

*5.1.2 The number of visas granted to female primary applicants.*

*5.1.3 The number of visas granted to primary applicants in each five year age block between age 20 and age 60, ie. number of visas granted to those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

*5.1.4 The number of visas granted to primary applicants grouped according to years of relevant professional experience, ie the number of visas granted to those with the following number of years of relevant professional experience: <1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and >15.*

#### *5.2 For offshore applications*

*5.2.1 The total number of visas granted to primary applicants.*

*5.2.2 The number of visas granted to female primary applicants.*

*5.2.3 The number of visas granted to primary applicants in each five year age block between age 20 and age 60, ie. number of visas granted to those aged 20-24, 25-29, 30-34 and so on up to the 55-59 age block.*

*5.2.4 The number of visas granted to primary applicants grouped according to years of relevant professional experience, ie the number of visas granted to those with the following number of years of relevant professional experience: <1, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and >15.*

## **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 document or to amend or annotate records.

## **3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the document relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access

## **4 Document in scope of request**

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contain[s] information that falls within the scope of your request. The data produced in this document existed in the possession of the Department on 3 September 2018 when your FOI request was received.

The Department has undertaken reasonable searches in relation to the documents you have requested access to.

## **5 Decision**

The decision in relation to the documents in the possession of the Department which falls within the scope of your request is as follows:

- Release four documents in full

Where the Schedule of Documents indicates an exemption claim has been applied to a document or part of a document, my findings of fact and reasons for deciding that the exemption provision applies to that information are set out below.

## **6 Reasons for Decision**

In accordance with Section 17 of the FOI Act, the Department has used its computer system to extract data that is relevant to your request and to produce one document that contains information that falls within the scope of your request.

The data produced in this document was in the possession of the Department on 04 June 2018 when your FOI request was received which satisfy the following parts of your FOI request:

**1.1.1** – release in full

**1.1.2** – release in full

**1.1.3** - release in full

1.2.1 – release in full

1.2.2 – release in full

1.2.3 – release in full

**Part 2** (inclusive of all related sub-sections) – please see response in attachment

3.1.1 – release in full

3.1.2 - release in full

4.1.1 – please see response in attachment

5.1.1 – release in full

5.1.2 – release in full

5.1.3 - release in full

5.2.1 - release in full

5.2.2 – release in full

5.2.3 – release in full

***Section 24A of the FOI Act – requests may be refused if documents cannot be found, do not exist or have not been received.***

Section 24A of the FOI Act provided that the Department may refuse a request for access to a document if all reasonable steps have been taken to find the document and the Department is satisfied that the document does not exist.

I am satisfied that the Department has undertaken reasonable searches in relation to your request and that no documents were in the possession of the Department on 22 January 2018 when your FOI request was received. As such I am refusing access to the following documents requested by you based on the application of section 24A of the FOI Act.

1.1.4 – No documents exist in relation to this part of your request therefore I am refusing access to this part of your request.

1.1.5 – No documents exist in relation to this part of your request therefore I am refusing access to this part of your request.

1.1.6 - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request.

1.2.4 - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request.

1.2.5 – no documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**1.2.6** - no documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**4.1.2** – No documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**4.1.2.1** - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**4.1.2.2** - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**5.1.4** - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

**5.2.4** - No documents exist in relation to this part of your request therefore I am refusing access to this part of your request;

## **7 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Details/C2017C00251>. If you are unable to access the legislation through this website, please contact our office for a copy.

## **8 Your Review Rights**

### Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a 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:

By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

OR

By mail to:  
Freedom of Information Section

PO Box 25  
BELCONNEN ACT 2617

### 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>.

## 9 Making a Complaint

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

There is no particular form required to make a complaint to the Australian 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 Department of Home Affairs as the relevant agency.

## 10 Contacting the FOI Section

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [FOI@homeaffairs.gov.au](mailto:FOI@homeaffairs.gov.au).

*[signed electronically]*

  
**Authorised Decision Maker**

**ATTACHMENT A**

**SCHEDULE OF DOCUMENTS  
REQUEST UNDER FREEDOM OF INFORMATION ACT 1982**

**FOI Request:** FA 18/06/00238

**File Number:** ADF 2018/64794

No.	Date of Document	Folios	Description	Decision on Release	
1.	8/10/2018	1	457 visas granted in 2016-17 by gender and age for Minor Group 233 Engineering Professionals	Release in full	
2.	8/10/2018	2	485 visas granted in 2016-17 by gender and age for Minor Group 233 Engineering Professionals	Release in full	
3.	8/10/2018	3	489 visas granted in 2016-16 by gender and age for Minor Group 233 Engineering Professionals	Release in full	
4.	18/10/2018	4	Additional responses to Question 2 (Subclass 476 visas) and Question 4 (4.1.1 and 4.1.2) (Subclass 485 visas)	Release in full	